ENERGY: A MODEST PROPOSAL **ROBERT LEKACHMAN**

THE NATION

DECEMBER 17, 1977 60 cents

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LETTERS

unreported profits

Riverside, Conn.
President Carter has used words like "war profiteering" and the "greatest rip-off in history" to describe the profits of the oil companies. The news media have emphasized these supposedly big profits and President Carter's description of them. But the facts are different according to columnist John D. Lofton. The third-quarter profits of Gulf, Shell, and Sun Oil were all up less than 2 percent, and Mobil's profits were actually down by 5 percent.

But profits in the news media, not widely reported, naturally, were very different. For the first nine months of this year the American Broadcasting Company's profits were up 58 percent over the similar period last year. CBS's sales were up for the first nine months by 23 percent. (I don't have the figures on their profits but such an increase in sales must have made a substantial increase in profits.)

The third-quarter earnings of *The New York Times* were up 35.9 percent this year, compared to last year. Time, Inc. profits for the third quarter this year increased by 36 percent over last year. *The Washington Post*'s third-quarter profits were up 88 percent over 1976. President Carter seems unable to comment on these profits. Is it because he fears the news media? *Alfred Baker Lewis*

shining armor

Potsdam, N.Y.
It is said that Richard Helms has shown integrity for his "gallant" plea of guilty. Somebody once said Richard Nixon had integrity. Colson, Mitchell, Hunt, Haldeman, Liddy, et al.—all have shown integrity. Schlesinger is a man of integrity. Meldrim Thomson is radiating with integrity. Billy Graham worships with integrity. The Burger Court never forgets to show integrity. Pentagon officials spend with integrity. Even a few middle-class executives show integrity. Walter Cronkite and John Chancellor have been revered for their integrity. . . . In short, is all of America sinking in a sea of integrity? *Arthur Gadsden*

church and state

Oakland, Calif.
We are tolerating and paying for public prayer. President Carter has sent a personal envoy to the Vatican. U.S. Congressmen have introduced bills in both houses for tuition reimbursement in parochial schools. Senator Moynihan has insulted defenders of the First Amendment by saying that opponents of tax funds for church schools are bigots.

Now, the Supreme Court is sliding to a compromise on federal suppport for church-related colleges. The principle of separation of church and state is being eroded by display of religiosity in public proceedings. . . . Congressmen must be wakened and directed. *Marion M. Sandomire*

apologies to Fertig

Englewood, N.J.
I was dismayed by your editorial, "The Celebrity Monger" [Nov. 12]. Although it deals with an issue that is hardly earthshaking, the journalistic techniques used are sloppy and irresponsible. The statement "a New York publisher hitherto unknown to us" implies that Howard Fertig is an opportunistic, fly-by-night operator. . . . A check of *Literary Market Place* would have revealed that Howard Fertig is a reputable publisher of scholarly reprints, and a phone call to Howard Fertig probably would have given you the reasons for reproducing in facsimile Norman Mailer's first novel. It is a limited edition produced in a very small quantity for sale to academic libraries primarily for use by scholars. *Jerome S. Ozer*

EDITORIALS

Workers, Strikers and Unions

The Mine Workers' strike, now sadly begun, tells a great deal about the disorders afflicting our industrial society. The first thing to note is that wages are hardly involved in this strike. When they work, miners earn about $60 a day at their hard and hazardous trade. Although the union has made a formal demand for more, it was late in naming a figure, which is evidence that other troubles are at the heart of the matter.

Another notable fact is that the strike comes at a time when the government says it is urgent to double coal production in the next seven years. A third aspect of this unhappy situation is that the industrial users of coal are sitting on top of stockpiles that will undoubtedly outlast the ability of the miners to remain idle. Finally, there is the stubborn fact that it is the miners themselves who will suffer when not only their pay stops, but also the whole elaborate, painfully achieved health and pension system.

Strong feelings lie back of this work stoppage. They were described by *The Washington Post* last August as "a smoldering rage at forces beyond their control." The forces include "a paralyzed, faction-torn union leadership, an industry that is capitalizing on the unions' weaknesses, a government that seems indifferent to the miners' problems and a society that calls them hillbillies and forgets that they do some of its most dangerous and vital work."

The anger, frustration and disillusionment of the coal miners have led them into a series of wildcat strikes which their employers are determined to check. "Getting that work force when we need it is our gut issue," says a coal management man. For the owners that means an industry-wide contract under which no local can quit work over grievances of its own. It also means that management can take advantage of a union whose leadership is deeply split and therefore powerless to function for the welfare, general and particular, of its members.

To the demand for responsible behavior on an industry-wide basis, the UMWA opposes its demand that a local be allowed to strike an individual mine if a majority of its members vote to do so. That would mean that local union chiefs could not pull the men out for their own reasons, as has happened sometimes in the past, but that there would be democracy at the grass roots, or coal face. Naturally, the coal industry's managers (increasingly the hired hands of energy combines), resist that notion on the ground that it would lead to anarchy. They say they want to deal with a "responsible" centralized union that can make a contract and then enforce it on the miners. Translated, that means they want to take advantage of a labor organization in trouble for reasons only partly of its own making—technology and the concentration of ownership have had much to do with it.

As usual, the mine owners are being shortsighted. The intransigence of miners is traditional, a concomitant of their dangerous craft. When society gave not a damn about their problems, they had only themselves and their

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right to withhold their labor to depend on. So if morale is the problem, what better way to restore it than to grant them the right to decide collectively at the pit head whether they will work?

The coal strike would have to last for at least three months before it exerted any real pressure on the owners. That does not seem likely. But with every day that goes by it will be the 166,000 organized miners who will be suffering the effects of the strike in lost wages, and the 800,000 people in their families and among the retired miners who will be doing without health benefits and pensions. That is quite a price to pay for "stability" in an increasingly essential branch of the energy industry.

We would add two final notes. One is that the December 3rd issue of the weekly *AFL-CIO News*, the organ of George Meany's domain, carries not one line on the situation in the coal mine negotiations nor of the plight of its "brothers" in the UMWA (who, of course, do not belong to the fraternal AFL-CIO). Not one line. Solidarity Forever or Solidarity Sometimes? And *Convoy*, the publication of Teamsters for a Democratic Union, the anti-Fitzsimmons-et al. outfit that is waging a good fight for a decent union, lists in its latest issue the names of nineteen Teamster officials who make more than $100,000 a year. Fitzsimmons himself, who holds only one job (that of president) makes a mere $155,302. Some of his local and regional satraps hold as many as seven posts and five of them earn, so to speak, more than he does.

All of this makes unpleasant reading on the eve of the AFL-CIO's annual convention in Los Angeles. American labor is in deep trouble and, therefore, so are we all.

Doing Well by Doing 'Good'

It's a close question whether those who work for "the world" are less spoiled than those whose employer is merely "Europe." According to recent dispatches, the hundreds of employees at the World Bank may be just a nose behind the 10,000 bureaucrats of the European Economic Commission in the lavishness of their pay and perquisites.

Whichever group turns out to be the winner in this international luxury derby, the spectacle is disheartening. It was perhaps not to be expected that these multinational civil servants would wear frayed collars and scuffed shoes as they went about their business of wheeling and dealing among the national entities. But neither was it predictable that their common abode would be the very lap of luxury. Some decently middle standard of living was what might have been looked for by those who had hopes for organizations that would function in the general interest, beyond the limits of selfish nationalism.

We should have known better. Free of the self-control observed by national legislatures, whose members dare not pay themselves what they think they are worth lest they lose the next election, these supranational bodies have gone hog wild. At the World Bank, according to *The Wall Street Journal* (November 28), the *average* salary is $43,000 (on a "taxable equivalent" basis, which is gobbledygook to acknowledge the fact that 75 percent

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of the bank's professional staff are from abroad, though the headquarters is in Washington). Of the 2,200 professional workers at the World Bank, 350 make more than the $57,500 stipend for a member of Congress. That may be why the legislature has decided that the three officials who cast U.S. votes at the World Bank (to which this country is the largest contributor) will be paid no more than $50,000, unless the bank is prepared to do without dollars.

This limit should bring even Robert McNamara up short. As president of the bank, he gets $115,000, a salary second in the capital only to the President's $200,000. There are similar salary scales in the International Monetary Fund, the Interamerican Development Bank and the Asian Development Bank.

Beyond this munificence, these outfits that lend to countries where the per-capita annual income is sometimes less than $100 a year enjoy an array of supplementary benefits—subsidized meals and country-club fees, education allowances for their offspring as high as $2,500, and cheap home mortgages. And when the functionaries travel, which they do all the time since the world is their oyster, they tend to do it first class. (That added $1.8 million over the tourist rate last year to the $12 million travel expense, which included some 600 Concorde flights at twice the first-class price.) The leadership of McNamara, who flies tourist, has not been exemplary in this regard.

The case of the European Economic Commission is, if anything more outrageous, although, to be sure, on that prosperous continent it is not the poor of the world who are its charges. The EEC's president, Britain's Roy Jenkins, makes even more than McNamara—$120,000 tax-free. Most of his Common Market minions are equally tax-exempt as they shuffle the papers that are supposed to free the trade of Europe, but which usually get nowhere as they hit the barriers of bureaucracy and persistent nationalism. A lad or lass fresh from college starts at $26,200, reports *The Washington Post* (November 25), and a few apple-polishing years later can be pulling down $85,000.

What the Europeans do with their lavish continental bureaucracy is, of course, none of our affair, though it is worth noting that Jean Monnet, that remarkable Frenchman, had something more virtuous and effective in mind when he founded the thing as a way to end mean and dangerous old rivalries. But it is very much our business how the various developmental banks behave.

These institutions, on which our leaders tell us world "stability" depends, are the instruments through which we project our interests and our system on most of the world. They are capable of doing much good and in fact do much harm. The World Bank, still subject to an effective U.S. veto, is there to do for the New International Economic Order what the Marines did for the old. For all the high-flown talk of "development," what these banks are up to is largely the creation of dependable markets and reliable regimes for the advanced nations, while assuring an increased flow of cheap raw materials into the industrial maws of the North. The price of this kind of development is paid, steeply, by the poor in the countries which are the borrowers. "Brazil is doing well," said a former Brazilian President, Emílio Médici, "but the people are not." Michael Harrington wrote a decade ago (in *Toward a Democratic Left*) that "some of the poorest countries on the globe have done more to raise the standards of living of the affluent than to help their own people"—he called it "this monstrous subsidy from the miserable to the fat."

Gross national product goes up in these "maturing" countries, while the mass of the people's standard of living goes down. That is the minimum price of development, say the Milton Friedmans of the world, and don't anyone dare fiddle with it because capital can be created in no other way. Nonsense, of course, but a drive toward true independence on the part of the underdeveloped would upset all of our own system's calculations.

McNamara of course knows this, and so he has gotten Willy Brandt to head a commission that will include four former heads of government besides himself, along with eleven other political leaders, nine of them from "developing states." It will look into ways to reconcile the interests of the developed North and the underdeveloped South. Even before the Brandt commission's eighteen months of work begins, it can be doubted that anything McNamara would sponsor will look at profound structural and political arrangements in the world's economy. We say that even though Brandt last year declared that "East-West relations are increasingly overwhelmed by growing tensions between north and south."

Meanwhile, at the World Bank, the IMF, the EEC, etc., the champagne will flow. But to what will they raise their glasses—except to their own soft jobs?

Waiting for Meany

If we are to believe its leaders, the American labor movement is a fierce crusader for human rights around the world. After all, they would say, did not the AFL-CIO long bar Communist trade unionists from access to this country? And did not the federation recently send Russian dissident Andrei Sakharov no less than three invitations—the last a personal one from George Meany—to attend its convention, this being an obvious and effective attempt to discompose the Soviet leadership? One might then presume that humanitarians in American labor would respond swiftly, sharply—and above all with maximum publicity—to the new attempts by President Augusto Pinochet to destroy trade unionism in Chile. It might be prudent, however, not to hold one's breath in anticipation.

Pinochet's new atrocity was remarkably ham-handed, even for a regime not known for the delicacy of its repressive touch. In late November he announced that seven "dissident" labor leaders—that is, those opposed to the official labor apparatus, which consists of pliant bureaucrats—would be banished to remote mountain villages. Then, on television and accompanied by his labor puppets, he "shouted" (the word is used by Juan de Onis, in his *New York Times* report of December 4) that the dissidents ". . . have been incited by leaders who are more into politics than anything. . . . When they bring me labor indiscipline, there my patience ends."

Pinochet's sputtering rage is understandable; it is based

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on alarm. Although independent trade unionism has been outlawed in Chile and thousands of unionists have been murdered, jailed or exiled, resistance to the regime remains surprisingly strong among organized workers. According to Onis, most of the dissident labor leaders are linked to the Christian Democrats, a party Pinochet fears because it offers the best possibility for a democratic resurgence that might well be supported by the United States. In fact, Onis points out that American representatives in Santiago "maintain close contact" with the labor dissidents, who are "well-known" to AFL-CIO officials. Two Chilean independents will attend the AFL-CIO convention in Los Angeles this week. Onis even suggests that Pinochet's move risks ". . . a strong reaction from United States labor unions which, according to analysts in Santiago, might be tempted to apply shipping and cargo handling boycotts to Chilean goods. . . ."

Even after noting the tentative phrasing of their views (American unions *"might be tempted"* to boycott), it is hard to imagine where Onis's unnamed "analysts" get their optimism. Boycotts in protest against repressive regimes or evil policies (the war in Vietnam, for example), occur with some frequency abroad, but in the complacent world of American labor, such concrete internationalism is rare. No doubt the Chilean representatives at the AFL-CIO convention will press for action, but as in the past, it is almost certain to be limited to the passing of resolutions and the sending of telegrams—both laudable measures, but hardly what the circumstances require.

It can be argued that to boycott all countries that seriously violate human rights is impossible, there being so many. That is true, but it ignores the symbolic effect of selective boycotts against the worst offenders. And short of refusal to handle Chilean goods, there are many other actions that American unions could take on behalf of their Chilean brethren. Labor's muscle in Washington could be used to force the government to end all forms of support to Pinochet, and to admit more Latin American political refugees into the country. The numerous Chilean refugees and solidarity organizations are in desperate need of funds which American labor could provide. (Such progressive unions as the United Auto Workers and American Federation of State, County and Municipal Employees already support the Council on Hemispheric Affairs.) And wouldn't it be nice if George Meany, Lane Kirkland et al., would take time off from their anti-Soviet campaign and devote some of the headlines they so easily create to the defense of the Chilean trade union movement—while there remains the remnant of a movement to defend?

Mexican Jailbirds

Americans serving time in foreign jails on drug charges presumably have few occasions for celebration, but one of them came on November 30, when a prisoner exchange treaty between the United States and Mexico went into effect. The treaty means that almost 300 Americans are eligible for immediate transfer to American prisons, and perhaps for quick parole. Another 300 unfortunates will remain in Mexico until their court proceedings are completed. For having negotiated the long-overdue treaty the Carter administration deserves praise. But in a report from the Hermosillo, Mexico penitentiary published by *The New York Times* on December 4, Alan Riding notes that the treaty is only the latest about-face in a tragicomedy that began in the early days of the Nixon campaign for law and order.

In the first place, some of the Americans do not want to go "home" to jail because, in the words of one, "I've been in American prisons and your individuality is lost there. Here you can be yourself, you can wear your own clothes, you can use the phone, you can relax." Mexican prisons also allow their inmates to cook their own food and to receive weekly conjugal visits. The sentiment to remain incarcerated south of the border is not universal; it appears that Hermosillo is an exceptionally modern and well-run institution, whereas other Americans are being held in conditions reminiscent of the Chateau d'If. But the comfortable convicts plan to wait and see if the first group of Americans are set free when they get home. Otherwise they intend to stay put and perfect their Spanish.

A second irony, says Riding, is that the treaty "runs counter to many of the expressed policy objectives of both the United States Drug Enforcement Administration and the State Department." In 1969, a combination of anti-drug hysteria and political cynicism (documented in Edward Jay Epstein's new book, *Agency of Fear*) led Nixon's men to invent Operation Intercept, which attempted to pressure the Mexican Government to crack down on drug production and smuggling. Insofar as it used bully-boy tactics to seal the border, the operation was a disaster that had to be abandoned after enraged tourists complained of six-hour delays and skin searches. But the Mexicans were successfully badgered into passing laws that established a minimum term for drug offenses of five years and three months, with no chance for parole. Soon hundreds of young Americans were behind Mexican bars. Many were tortured during interrogation (allegedly with American narcotics agents present on some occasions). After several hunger strikes and protest campaigns, the prisoners became an irritant to Mexican-American relations, and the U.S. Government was forced to negotiate the release of prisoners it had indirectly put in stir.

The story is a classic one of American meddling abroad, but it is more than that. Our government's approach to the drug problem has repeatedly been proven bankrupt, but the misguided "policy objectives" remain the same. American agents still roam the world in a vain attempt to root out every hemp plant and opium poppy. We continue to waste enormous human and financial resources in a war on smugglers that cannot possibly be won. Both at home and abroad, American citizens continue to be jailed for ingesting substances that are almost certainly less harmful than alcohol. Rather than pursue further this nonsensical crusade to prevent people from acquiring the intoxicants they prefer, we should rewrite the "soft" drug laws so as drastically to reduce (if not eliminate) penalties for smoking marijuana; and we should institute the only rational and humane approach to the problem of addiction: a heroin and/or methadone maintenance program on a large scale.

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FARMERS vs. AGRIBUSINESS

THE NEW 'WINNING OF THE WEST'

MARY ELLEN LEARY

Anyone who thinks that epic theme, "Winning the West," has withered away in these drab, urbanized times is overlooking a chapter in American history that is just now reaching its climax. It is a conflict over land and the water needed to make that land produce—the storied fabric out of which the West was wrought. It arrays as combatants wealthy and powerful corporations and holders of huge land empires against challengers so meager in economic resources, so pitiably small in political might that the contest is almost a parody of old fables. The surprise new element is that justice has staged an entry—on the side of David. The tumultuous storm that is therefore brewing will test the Carter administration severely, spill into national media in the months to come, and reach its climax, probably next year, on the floors of Congress.

"This is a crisis of great importance to the American people," insists James G. Patton, who for twenty-six years was president of the National Farmers Union and now surveys the prospect from his office in the San Francisco state AFL-CIO headquarters, where in retirement he tends labor's chores in the rural field.

"The drama," Patton says, "centers on California because that's where most of the money and most of the land is, but it concerns seventeen Western states which have 9 million acres of land irrigated through federal subsidy. And the principles wrapped up with this subsidy are vital to every citizen—especially to every taxpayer."

Over the years, this conflict has been tagged in symbolic shorthand as the "160-acre limitation." It involves the enforcement of the National Reclamation Law, enacted in 1902 and rededicated to its purpose in many subsequent federal statutes. The name of this law is unfortunate in today's context. "Reclamation" is a word that tends to narrow the scope of discussion to technicalities outside the immediate interest of most people. The prodigious feats of water control and management which overcame the natural desert habitat of the West, replacing its sage and tumbleweed with the richest produce yield in America, is a public achievement almost unknown to the present generation and, where known, often belittled. The fact that billions of federal tax dollars were poured into this development over the past seventy-five years, according to a set of principles deliberately shaped to enforce a just distribution of benefits from the public largess, is hardly conveyed to anybody these days by the term "Reclamation Law." Even the currently drought-stricken West, which hoards its tap water as its treasure, is largely ignorant of the degree to which its economy rests upon channeling water to agriculture by means of tax money. But political tussles now underway are pulling the Reclamation Law into public view.

Even more obscure to the man on the street is the full meaning in the phrase "160 acres." Originally, it summed up an American ideal, one gaining its force from a revulsion against monolithic land possession by the upper classes of Europe, which left the common man a serf. When written into Reclamation Law, "160 acres" was intended as a bulwark against monopoly. Land frauds had scarred the opening of the West. Contemplating great dams and irrigation projects, Congress insisted that land which benefited from the public funds must be distributed to as many different people as possible, and specifically to families who would live on the soil and till it. The water, Congress clearly said, was not to enrich immense business interests bent on profiteering; it was to make possible continuance of family farming as a way of life.

But the 160-acre phrase has been distorted by its opponents into something ludicrous and archaic, the butt of sophisticated economic humor in the board rooms of banks and corporations. The family farm has been dismissed as a patent absurdity. How quaint, to think of imposing the small ownership pattern of homestead days on the great sweep of rich Western valleys, where miles of crops can be planted and harvested by massive machinery and vast yields funneled, by virtue of giant banking support, into international markets.

This lampooning propaganda has been so successful that few people know that the 1974 U.S. Census Bureau report on agriculture discovered the average farm on irrigated land in California to be well under 200 acres. Small farms not only survive, they are among the most successful producers. Studies emerging from the California state agencies prove that farms of 320 acres or less have a net yield from $27,000 to $63,000 a year, even from crops, such as grains, sugar beets and cotton, thought to require large holdings. When tomatoes or lettuce are planted the net income may double. Yet we are plunged into orchestrated public relations ridicule of this life style. Targeted for a cynical debunking are the two American principles involved in reclamation law: that public expenditure should benefit the many, not the few; and that family farming should be encouraged as politically advantageous, socially healthy and economically feasible in a democratic society. In other words, the raw material of Western melodrama is with us again.

Anyone who doubts it should have experienced the tension among throngs of people, something near 10,000, massed at a free barbecue in the El Centro, Imperial Valley fair grounds on November 21. They were drawn by free food and by the Department of Interior hearings on new regulations intended to bring enforcement of the Reclamation Law to that region for the first time. Or one might have heard the impassioned, angry testimony

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pro and con over the proposed new rules in Sacramento and in Fresno, two agricultural centers where similar hearings reverberated as 100 or more huge air-conditioned tractors, combines and cotton rigs, aflutter with American flags, rumbled through city streets in a protest demonstration. "Take our land, take our lives!" the picket signs said; "Don't talk about farmers with your mouth full!" By sheer size of the equipment, such grower protest dominated other demonstrators who had assembled in Los Angeles when President Carter was there to speak and thirty-five farmers—clearly not small landowners—paid $1,000 apiece to attend a dinner where in person they might speak their outrage to the President.

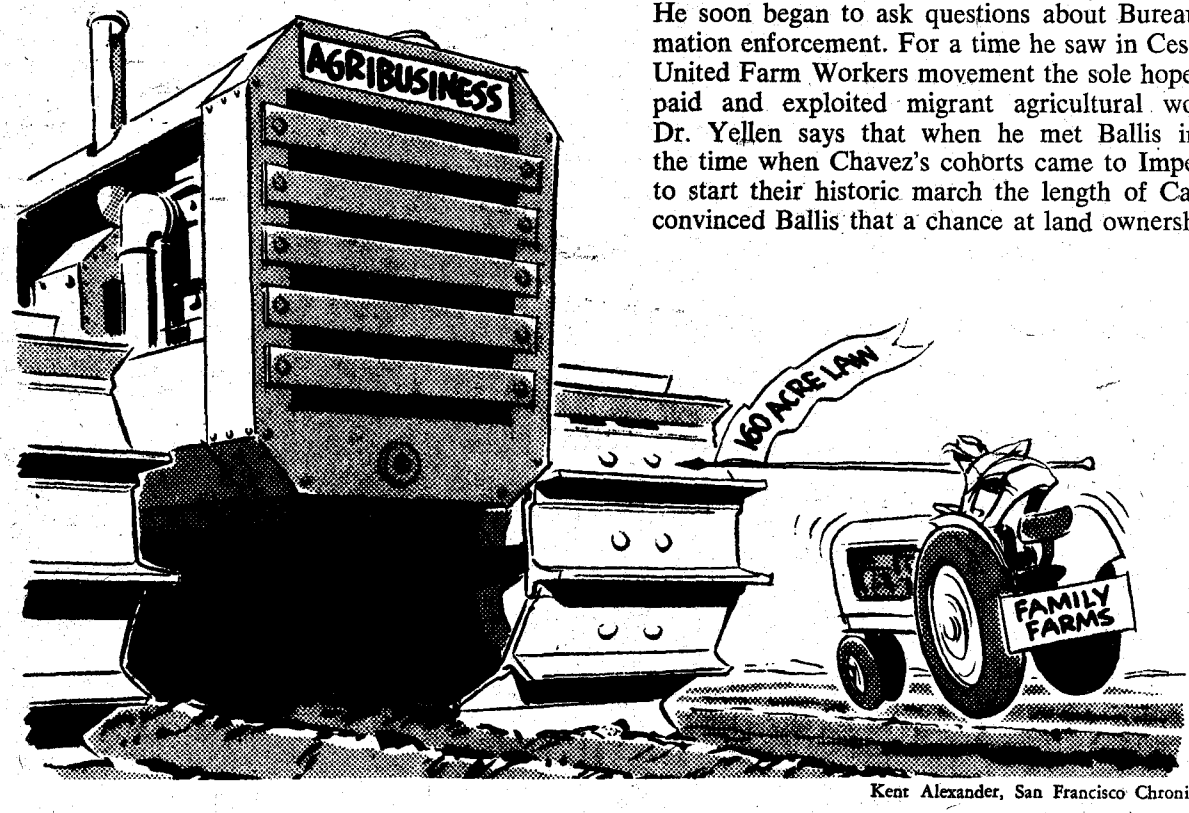
What wasn't obvious on the surface in El Centro, where feelings were at the flash point, was the timidity among farm workers who glimpsed their first hope for owning land in the promise that Reclamation Law would be enforced in the Imperial Valley, but feared to speak out about it. When he testified for enforcement of the 160-acre limit, Craig Scott, California Rural Legal Assistance lawyer, produced several anonymous letters supporting the law for local workers. He told the Department of Interior officials that the farm workers who wrote them, and with whom he had talked, dared not speak out for fear of being blacklisted by every grower in the valley. "The Imperial Valley today is like Mississippi in the '50s," Scott said. "It's that kind of place. People are terrified."

Untroubled by the furor, however, is the lone champion of the Imperial Valley farm workers, one man who brought the opposing forces into battle by going to court to seek enforcement of the law. He is Dr. Ben Yellen, a 69-year-old physician who, years back, came from New York to the hot, Mexican-border Imperial Valley for his health, and who now runs a clinic for migrant farm workers. Outraged by the economic disparity he found between the rich growers and the impoverished field hands, he has waged an incredibly persistent one-man campaign to compel attention to the fact that the allocation of public tax money is improperly—he contends illegally—depriving the average worker of that dream of farm ownership the Reclamation Law embodies.

Yellen claims that 70 percent of Imperial Valley land is owned by absentee owners, and that most of the millions in annual profits leave the area, while 90 percent of the wages trickle back to Mexico from workers who have crossed the border. If, instead, Imperial had a pattern of genuine small farm operations run by people who tended the soil themselves, he thinks the valley would be enriched, a decent scale of living would be attained by far more workers, earnings would stay in the region, and young people would be attracted to live there. "We've had here what's called white-collar, executive office crime," he says. "It doesn't make the impact on your mind that violent crime does. But you are getting flimflammed."

Two recent developments have stirred up furor over Reclamation Law and the 160-acre limitation. First, through Dr. Yellen and through another stalwart battler for the rural poor, George Ballis, a series of lawsuits were filed, contending that Reclamation Law has been ducked, avoided, sketchily applied or misinterpreted. And the federal courts in a series of recent rulings did find that large landholders enjoy improper enrichment by using federally developed water beyond the 160-acre limit.

Ballis is a University of Minnesota graduate who served as a Marine in World War II and settled in the Fresno area as editor of the local AFL-CIO newspaper. He soon began to ask questions about Bureau of Reclamation enforcement. For a time he saw in Cesar Chavez's United Farm Workers movement the sole hope for underpaid and exploited migrant agricultural workers. But Dr. Yellen says that when he met Ballis in 1969, at the time when Chavez's cohorts came to Imperial Valley to start their historic march the length of California, he convinced Ballis that a chance at land ownership as small



Kent Alexander, San Francisco Chronicle

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farmers was a better objective for the workers than a legitimatized laborer status. Ballis formed National Land for People and followed Yellen's lead by taking to the courts. They have been significant winners.

It isn't one court or one ruling that has triggered the fury; it is the consistent pattern of federal decisions. The critical first one was handed down in 1958 when the U.S. Supreme Court unanimously held (*Ivanhoe Irrigation District* v. *McCracken*) that Reclamation Law, restricting the size of a farm that receives publicly developed water, was constitutional. It was "reasonable," the Court held, to limit water distribution "in accordance with the greatest good to the greatest number of individuals."

Then in 1967 the 9th Circuit Court of Appeals unanimously ruled that the Tulare Lake Irrigation District—a rich area in the lower Central Valley long thought to have escaped the Reclamation Law because it managed to get its dams built in the high Sierra by the U.S. Army Corps of Engineers—had also to observe the limit on land size. An appeal to the U.S. Supreme Court by outraged landowners was turned down.

While this blow was reverberating through agricultural circles, a different set of judges in the 9th Circuit Court of Appeals ruled, after considering the matter for more than two years, that California's Imperial Valley also is bound by Reclamation Law. A third key ruling was issued in Washington. National Land for People, claiming uneven enforcement of Reclamation Law, demanded that the Department of Interior institute clear, recognizable rules for enforcement. The U.S. District Court for the District of Columbia ordered the Secretary of the Interior to do so—"forthwith."

This decision set in motion the second current development: the issuance of proposed regulations, in preparation for which the Carter administration has been staging hearings across the West. The surprise is not that the Carter administration responded to the court's peremptory nudge; it is that Secretary of Interior Cecil Andrus, Bureau of Reclamation Commissioner R. Keith Higginson and Assistant Secretary Guy Martin have all voiced support for the principles embodied in the law.

Testifying before joint Senate committees on November 11, Secretary Andrus said, "The law is good. It is intended to get the family farmers out there on the land. There are social values that exceed some of the economic values." He noted that in the largest reclamation district of the entire West, Westlands in California's Central Valley (where the water delivery contract is up for review by Congress), the government's subsidy in providing water amounts, over forty years, to $1,500 per acre.

"I don't quarrel one bit with giving a subsidy to locate farmers on the land," he said. "But when the benefits accrue to corporations, foreign and domestic, and the American taxpayer pays the subsidy, I find fault with that." In Fresno on November 19, Assistant Secretary Martin said, "The important point is whether we can turn the Act's intention to get people on the land away from the current interpretation of serving long-distance investors." James Patton commented on their attitude: "Finally somebody has the courage to bite the bullet."

Quite different, of course, is the view of large property owners in those zones targeted for change if the Reclamation Law is indeed enforced. Their panic was expressed in a full-page ad carried by major newspapers and some national magazines in late October. On behalf of a pictured woebegone family, an Imperial Valley committee called "Citizens for Government Fairness" laments: "We can't believe this is happening to us in the United States." The text complains that the government is "going to take away our lands."

Well, as a matter of fact nobody is going to "take away" land. The Reclamation Law sets out how much land in one ownership may receive publicly subsidized water: land for a family farm, pegged at 160 acres per person, and interpreted to mean 320 for husband and wife. A farmer who accepts federally provided irrigation water must—before turning on the pumps—sign a contract that obliges him to sell off, within ten years, land in excess of his family parcel. The price will be set low enough by the Interior Department to eliminate the value of the water. This obligation to sell "excess" land in exchange for getting water, and to sell at a price that does not reflect the irrigated value, is the core of the protest. It is also the key to small farmers' hopes that they may be able to buy.

This becomes a highly sensitive question, of course, where farmers over long years have assumed (incorrectly, the courts now say) that their land and their irrigating water lay outside such requirements. Reimposing a long-neglected law is seldom easy. The hearings Secretary Andrus has called are intended to develop ways to make the law work. He is getting plenty of suggestions. Precisely how he will define a "family farm" and how the land sales will be carried out are yet to evolve, but he has promised a decent margin of time and an orderly process.

He has, however, suggested a far stricter definition of land which is "excess" and subject to sale than previous Interior Secretaries ever contemplated. He proposes, after price is fixed by government appraisal, to carry out the sales by lottery, not letting the original owner pick and choose his buyer. This has provoked angry charges that the lottery system (good enough for selective service) is "communistic" in this application. Among other rules considered, one would bar any family farmer from leasing additional publicly irrigated land. A great deal of additional leasing goes on today. Bureau staffers are protesting that this rule would be almost impossible to police. Far stricter standards are also being prepared for the size of family farms; ownership beyond the first 160 acres must be within a genuine family unit, although Andrus indicates that children and parents in the direct line might each own 160 acres. Strong objections to such latitude are being raised, especially by labor, National Land for People and environmentalist groups. They want a maximum set, maybe 640 acres.

These rules and procedures for land sales and law enforcement will be studied and almost certainly revised before becoming final—probably in March, Andrus has indicated. Some cynics suggest his strict proposals are designed to stir so much protest that the Reclamation Law will be scuttled. Craftiness of this kind might have suited past administrations, but so far the evidence is that

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Secretary Andrus means to carry out the law as written.

The 1974 figures by the Census Bureau reveal with rare clarity just how far land ownership patterns now deviate from Congressional intent. The statistics have been of particular help to California's Employment Development Department, an agency that believes an increase of small-farm ownership could be the greatest single foreseeable way to create more state jobs.

The census report shows that 71 percent of California farms operate on less than 180 acres. And, contrary to big-grower contention, the bureau found that nearly half (47 percent) of the California farms that return a profit operate on less than 50 acres. This is what high-yield specialty crops can do on irrigated land.

But of special significance is the set of figures which shows that less than 10 percent of farms operating on irrigated land are larger than 1,000 acres—but that this 10 percent occupies 57 percent of all the irrigated land!

Looking at the other side of the picture, farms of less than 180 acres (census figures break at 180 rather than 160) occupy only 12 percent of the state's irrigated land. And these small farms add up to more than half of California's 50,763 farms which earn $2,500 or more a year.

On behalf of the vast majority of individual farmers who do abide by Reclamation Law, Tony Dechant, president of the National Farmers Union, pleaded with Congress on November 9 for enforcement of acreage limitation and residency provisions. In total, he said, only about 5,000 farms in all the Western states are out of conformity. (Some of them admittedly have extremely large acreage.) "Clearly, 99 percent of the farmers in the seventeen Western states will not be harmed by application and enforcement of Part 426 [of Reclamation Law]," he wrote Sen. Henry Jackson.

The reverse position, the sense of outrage among highly productive large growers whose crops go far toward giving California an annual $8 billion to $9 billion agricultural base to its economy, was summed up by a *Los Angeles Times* editorial of October 23, headed "160 Acres of Unreality." Enforcement of the "archaic" law, it said, would be "capricious" and would reduce productivity "of what is now the most efficient system of agriculture in the world." The inevitable result, it warned, would be higher food prices.

The storm whirls about several centers, all in California. One is the Tulare Lake district, now stripped of the assumption that it enjoys a loophole in Reclamation Law. Another is the Imperial Valley, where some 500,000 acres are irrigated with Colorado River water, controlled and regulated by the Hoover Dam. Farmers there felt they were home safe, outside the Reclamation Law, because in 1933, during the waning hours of Herbert Hoover's Presidency, they got Secretary of the Interior Ray Lyman Wilbur to sign an administrative order excluding them from its stipulations. The Appellate Court has held that administrators cannot undo Congressional intent by personal say-so.

The largest reclamation district ever formed, Westlands, includes 600,000 fertile acres in the San Joaquin Valley west of Fresno; it is 70 miles long and 15 miles wide. Westlands claims to be in compliance with the law, some of its large landowners having signed contracts when they accepted water delivery, promising to sell off excess land within the ten-year grace period. Indeed, Westlands's manager, Ralph Brody, insists that Westlands exhibits "more effective and rigid compliance with acreage limitations . . . than there has been cumulatively in all federal projects in the seventy-five years of reclamation history." Special problems related to Westlands, including the authenticity of its sales of excess land, have been under study by a federal task force; it is to report to Congress on January 2. Some investigators claim that excess holdings were sold to "paper farmers" who were in fact New York corporations, attorneys or persons committed by continuing business ties to the original owners. The very size of initial ownerships in this district provoked alarm over compliance. Among others, Southern Pacific owned 109,000 acres; Standard Oil, 11,000; Russell Giffin & Co., 45,000; Anderson Clayton & Co., 30,000. Voting power in Westlands runs with the size of land parcels, not according to the one man, one vote principle.

Yet another storm is brewing over whether lands irrigated by the California state project should be bound by Reclamation Law if those waters are commingled with federally provided waters. Secretary Andrus has proposed that they should. But the touchiest single point just now is Andrus's insistence that recipients of publicly provided water should, as the law says, "live on or in the neighborhood of the land benefited." His views on residency please neither side, since he has defined "neighborhood" as being within a radius of 50 miles and the AFL-CIO and many others contend that 25 or even 15 is more reasonable.

At this point it is by no means certain that the turnaround in Reclamation Law which Andrus proposes is politically possible. Delaying moves have already been introduced in Congress, one of the resolutions having been written by Sen. Alan Cranston (D. Calif.), who faces a re-election run in 1978 and would prefer to avoid the issue. Also facing re-election, Gov. Jerry Brown has modified his earlier enthusiasm for putting the 160-acre limit to the test, at least in Westlands. Political implications are clear. California's Atty. Gen. Evelle Younger, a strong GOP rival to Brown for the governorship, has joined the growers in pressing for review of the Imperial Valley decision. Moves in Congress to refashion Reclamation Law are sure to be made.

The politicking already underway was exposed when Robert Meyer, Assistant Secretary of Agriculture, was sent packing by the Carter administration after the press picked up his internal lobbying against the 160-acre law. Meyer, who described himself as a "family farmer" in Imperial, has holdings, including family ownership and leases, which run to 2,080 acres. (He is not the first Department of Agriculture official to express hostile views on this subject. Robert W. Long, a Bank of America vice president whom Nixon made an Assistant Secretary of Agriculture, openly characterized the 160-acre law as "petty political tyranny.") Mr. Meyer may have lost his

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post but he has not left Washington. He was on hand November 9 to usher a group of Imperial Valley farmers into the Department of the Interior to discuss acreage limitation with the Secretary. "I've read about some of your speeches," Andrus said coolly as they met. He was referring especially to a blast Meyer issued on October 27 at Boise, Idaho, Andrus's home state, in which he said that the Secretary, if he didn't repeal or change the Reclamation Law, "shouldn't be in office and will never qualify for 'profiles in courage.'" Meyer's definition of courage obviously differs from James Patton's.

Along with political pressure, one of the most serious impediments Andrus and Reclamation Commissioner Higginson face is their own inherited bureaucracy. Over the years the Interior Department has not only accommodated itself to a lax interpretation of the law, it has also become expert at excusing that laxity. To a considerable extent, the argument of large landowners that bigness is the only way to go has rubbed off on the paper shufflers of the bureau. Now on the defensive, they may be slow to respond to the new thrust of the department.

But there are allies—more, it seems, than during previous critical tests. The thesis that benefits from multi-billions of public expenditure should get the widest possible distribution is appreciated in this tax-sensitive era, and the family-farm ideal has fresh support. Numerous interest blocs see a stake of their own in Reclamation Law enforcement.

The AFL-CIO support of the 160-acre limitation and residency on the land has been consistent over the years. It is most vigorous in California. State Federation Exec. Sec'y.-Treas. John Henning has plunged into the present fray with forceful messages to President Carter and to Secretary Andrus. The National Farmers Union, with 250,000 family-farm members, 70 percent of them in the West, is pressing for land reforms more sweeping than those of Andrus. The Council of Churches has been concerned for the past decade. Now three new forces have enlisted: environmentalist and conservation groups, Mexican-American farm workers led by Cesar Chavez and activist civil rights lawyers. A significantly broadened segment of the public is informed about the law and its objectives, and recognizes the inherently American ideals it pursues.

The Sierra Club has been urging federal purchases of excess water-served land since 1968, expecting that this will help preserve open space, but a more vigorous position has been adopted by Friends of the Earth, which in mid-September sent a 6-page letter to Commissioner Higginson emphasizing that "fostering small farms rather than subsidizing large absentee-owned farms directly affects the quality of human and natural environment." It, too, urges regulations even stricter than those now proposed. The California Rural Assistance lawyers, whose central concern is the rural poverty that persists despite California's agricultural opulence, is actively in the fight. Fresh support will be stirred when California's Employment Development Department makes public its studies indicating that replacement of the huge industrial absentee-owner farms with family-sized units can be the most significant multiplier of jobs for the state in the foreseeable future.

Will such arguments and such allies be enough to back the 160-acre concept despite opposition from the enormously rich and powerful California agriculture? The wise and by now old sage who for thirty often-lonely years kept alive concern for the principles of fairness wrapped up in the Reclamation Law is Paul Taylor, emeritus professor of economics at the University of California. (See Leary: "Paul Taylor, The Power of a Tenacious Man," *The Nation*, October 12, 1974.) His vigil is no longer lonely. An array of young people and new groups have joined his cause—scholars, lawyers, economists, agricultural consultants. But asked whether at last he has hopes that the law will be enforced he replies in his slow, low whisper of a voice: "We'll find out." □

VOTING WITH THEIR GUNS

MUTINY IN BANGLADESH

KAI BIRD

Something extraordinary is happening in the Indian subcontinent. For the second time in less than two years, extreme leftist enlisted soldiers in Bangladesh have mutinied. The army uprising of September 30 to October 2 and its bloody aftermath can only be a prelude of things to come.

By the time it was all over, something like 230 enlisted men (*jawans*) had been killed in Dacca alone, eleven senior Air Force officers had been lined up and executed by *jawans*, and an unreported number of other *jawans* had been killed in Bogra. In the words of one source in Washington D.C.—a source with access to classified cable traffic—"The uprising has shaken the government like nothing before." Within three weeks of the aborted mutiny, hastily arranged special martial law tribunals had sentenced at least ninety-two rebel *jawans* to death. Many of those executed had to be hung on the gallows of Dacca Central Jail because soldiers assigned to firing squads refused to pull the trigger. More than 5,000 *jawans* reportedly affiliated with the radical People's Revolutionary Army (PRA) participated in the mutiny

Kai Bird, a frequent contributor to The Nation *on foreign affairs, has been to Bangladesh on journalistic assignments three times since 1972.*

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out of Dacca Cantonment, the nation's major military base.

The Indian and Western press tried at first to pass off the uprising as "unrest among soldiers over pay and differences between officers and men" (*The Times of India*, October 3). But as the events have slowly been reconstructed, official sources in both Dacca and Washington have conceded that the *jawans* had purely political motives. Early in the pre-dawn fighting, four rebel officers who were said to be affiliated with the PRA briefly occupied Radio Dacca and broadcast a bulletin announcing that an "armed revolution by the armed forces, students, peasants and workers was in progress." (*The Times of India*, October 4.)

The uprising began on September 30 in the northwestern backwater town of Bogra among army units with a history of mutiny. (Some of the same troops had been involved in the right-wing officer-led *coup d'état* that killed Bangladesh's first President, Shaikh Mujibur Rahman.) The mutiny then spread to the crucial Dacca Cantonment at a time when the high command was preoccupied with Japanese Red Army guerrillas who had landed a hijacked airliner at Dacca Airport.

Sources with a knowledge of the various factions within the Bangladesh military say that the martial law regime of President (Maj. Gen.) Ziaur (Zia) Rahman was saved only by the rapid intervention of loyal troops from Dacca's 9th Division. Zia has since moved quickly to punish the radicals. More than 500 *jawans* have been tried in the military tribunals; of the ninety-two condemned to death, thirty-seven have died and fifty-five await execution; twenty more have been given life sentences and sixty-three have been acquitted. (Amnesty International has made Bangladesh an urgent case on its agenda, while even the U.S. State Department's Office of Humanitarian Affairs has communicated its concern over these summary executions to the Bangladesh Government. Food aid shipments to Bangladesh were delayed seven weeks this autumn while the State Department pondered the human rights situation.)

The politicalization of rank-and-file Bangladesh soldiers is unprecedented in the subcontinent—and sharply escalates the potential for radical upheaval among the world's most impoverished peoples. The PRA itself is a clandestine outgrowth of the Jatiyo Samajtantric Dal, better known as the "Jashod" or Socialist Nationalist Party. The party was clearly not prepared for the October mutiny. The PRA—like many of the Jashod's other cells—can be likened in this context to a labor union. The events of September-October can be understood as a spontaneous wildcat strike which the party leadership opposed and knew would probably be met with severe repression.

Despite evidence that the Bogra uprising was initiated by *jawans* with Jashod sympathies, the party leadership in Dacca has reportedly disavowed complicity with the mutiny. The Jashod leadership is particularly concerned that it dissociate itself from the execution of eleven Air Force officers at Dacca Airport. And some evidence does indicate that as the mutiny spread to Dacca, right-wing Islamic political factions in the army attempted to influence events. Nevertheless, it appears that *jawans* who believed that they were acting on behalf of the Jashod bore the brunt of the army's repression when more than 200 died during the fighting in the Dacca Cantonment. Maj. Gen. Zia Rahman has since laid responsibility for the mutiny on the Jashod.

For the second time in less than two years the Jashod had been drawn into a radical army uprising. On the first occasion, the PRA, led by its founder, Col. Abu Taher, overthrew a short-lived pro-Indian military regime. During that meeting of November 7, 1975, some sixty regular army officers were shot by their own men. The Jashod later disavowed the killings, but the *jawans* had been instructed to "disarm" their officers and rip off their insignia of rank, acts which surely led to the bloodshed.

After the uprising and in an attempt to broaden its base, the PRA placed in power a war hero from the 1971 Indo-Pakistani conflict, Maj. Gen. Zia Rahman, a friend of Colonel Taher and a man known for his nationalist views. Colonel Taher had rescued Zia from prison and certain death at the hands of the previous regime. Before assuming power, it is reported that he was forced to sign a PRA manifesto called the "Twelve Demands." The document stated, "Our revolution is not for changing leadership only. This revolution is only for the interest of the poorer class." Zia was pledged "to change the structure of the armed forces" and to release all political prisoners. (The Jashod claims there are 20,000 political prisoners. Amnesty International says there are at least several thousand political detainees and reports estimates running as high as 62,000.) Among other things, the "Twelve Demands" also called for an end to discrimination between officers and soldiers, improved wages, free lodgings for *jawans* and the abolishment of the British "batman" system. More important, the document specified that Zia could make no decision without first consulting a "central revolutionary army organization to be formed for the whole of Dacca Cantonment." Rank-and-file soldiers would henceforth play a decision-making role, while the traditional military hierarchy would be directly responsible to a central council run by *jawans*.

This novel arrangement lasted for one week before Zia reneged on his promises and took steps to restore traditional military discipline. He quickly reimprisoned the top civilian command of the Jashod leadership and arrested Taher himself on charges of treason. But as the events of early October have demonstrated, Zia was unable to wipe out the PRA-Jashod cells within the *jawan* ranks.

The enormous appeal for the *jawans* of the Jashod's "classless army" stems from the soldiers' experience in the 1971 "war of liberation" whereby Bangladesh seceded from Pakistan. The old British-style army underwent a radical transformation in 1971 as conventional soldiers and officers alike were forced to adapt to the more egalitarian conditions of guerrilla warfare. Indeed, Colonel Taher himself became politicized at that time, while leading small-scale attacks against the Pakistani Army.

Taher emerged from the war a cripple, having lost a leg to a Pakistani land mine. Nevertheless, Shaikh Mujibur chose him to command the important Comilla Brigade.

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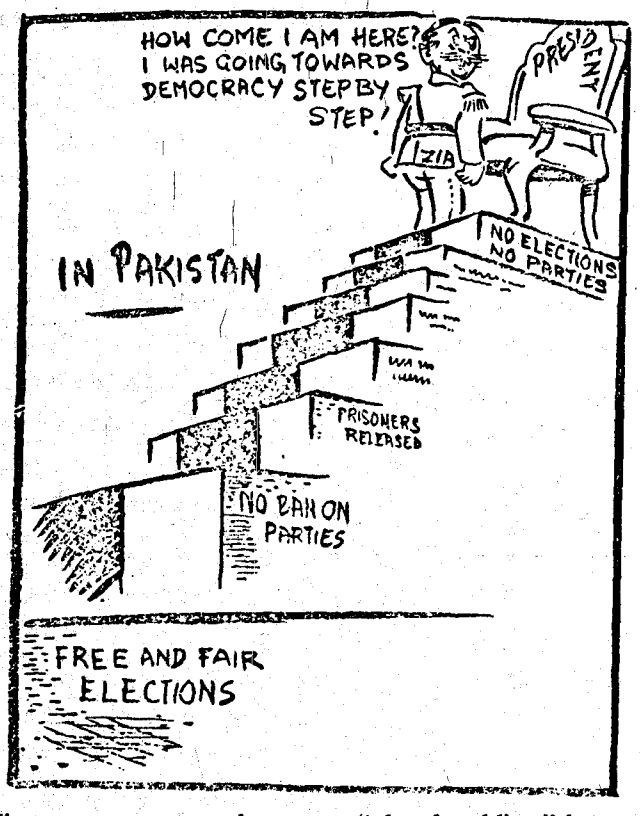


His troops were soon known as "plough soldiers" because they tried to grow their own food. Taher believed, in the words of Lawrence Lifschultz, a *Far Eastern Economic Review* correspondent, "that in a poor, backward country a conventional army in the British colonial tradition would inevitably mean that the military would become a major financial burden on an already impoverished peasantry, rather than an asset for its transformation." In late 1972, Taher and other officers with similar views—including the commander of Dacca Cantonment, Col. M. Ziauddin—were dismissed by Shaikh Mujibur. Ziauddin eventually disappeared underground to join a Marxist guerrilla group and remains in hiding to this day. Taher, however, organized the People's Revolutionary Army and attracted so many rank-and-file soldiers to his views that by November 1975 he was in a position to direct the coup that brought to power his old friend, Zia.

The friendship proved fatal for Taher. After six months of solitary confinement, he and thirty-three other Jashod colleagues were charged with the "propagation of political ideology and disaffection among the officers and other members of the Defense Services." They were tried by secret courts-martial within Dacca Central Jail and on July 21, 1976, Taher was hanged.

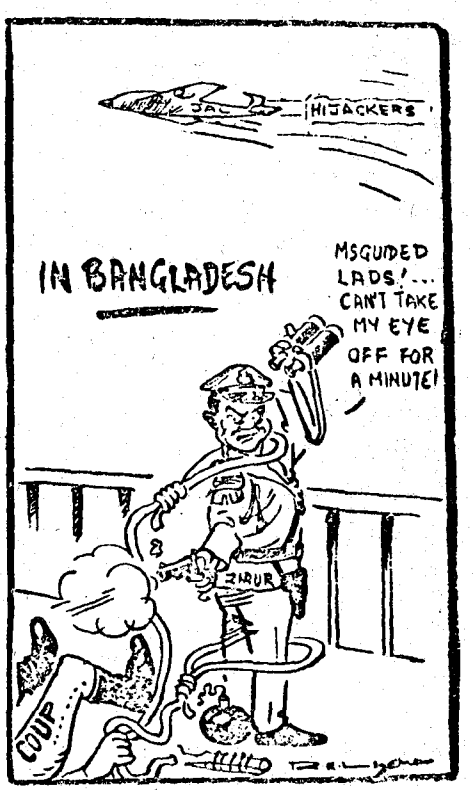
In retrospect, the Jashod has tried to explain why Zia was trusted with a leadership role in the November 1975 uprising:

> Knowing full well that Maj. Gen. Zia was an ambitious man and lacked progressive mentality, he was nevertheless put in power mainly because the prevailing situation called for an upholding of national unity. By placing at the top a seemingly non-political man like Zia, whom the people in general and the army would support, this could be achieved. In addition, the weak position he was in due to having been saved from certain death represented an opportunity to utilize him for the cause of working people's politics. He would be used, if possible, for the release of political prisoners, the staging of free early elections, the formation of an interim national government, liberating the country from the Indo-Soviet-U.S. influence and such other activities conducive to the revolutionary movement.

But the Jashod leadership clearly underestimated Zia's determination to rule. In the last two years he has consolidated his regime by working with right-wing elements in the army and particularly in the police. He has relied heavily on a clique of American-trained intelligence officers who had collaborated with Pakistani martial law authorities during the nine-month "liberation struggle" of 1971. Defense and police appropriations rose nearly 13 percent in the national budget during 1976, according to confidential World Bank documents. Security-related expenditures now sap an estimated one-third of the government's revenues, roughly the same amount allocated to the credit-starved agricultural sector.

But at the same time, Zia has moved to streamline a plodding bureaucracy, eliminate petty corruption and conform the nation's development plan to the guidelines set down by the International Monetary Fund and the World Bank. He has begun to denationalize many of the shipping- and jute-related industries that were placed in the public sector by Shaikh Mujibur. And Zia has decreased food subsidies, which the World Bank had "advised" would ease a growing budget deficit. His willingness to cooperate on these economic policies has won his administration praise and support from the international donors.

Such support is crucial to Zia. His regime could not survive without massive external relief; more than 40 percent of the current Five Year Plan depends on foreign aid. Food aid forms a major portion of this budgetary



Times of India

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support—90 percent of all the ostensibly "humanitarian" food aid pouring into Bangladesh is sold on a ration system to the middle class living in the six largest cities, roughly 30 percent of it going to the army, the police and civil servants. Bengalis on the market economy eat subsidized food, while the rural poor are forced during periods of famine to sell their tiny plots of land in order to buy hoarded rice at exorbitant prices.

This non-egalitarian distribution system can be justified only on a purely political basis. A State Department Dacca Mission cable obtained under the Freedom of Information Act underscores the political significance of food aid: "There is no question of the extreme importance to Bangladesh leaders of a continued flow of imported food grains to fuel the ration system and above all keep potentially politically active Dacca dwellers supplied with low-priced food grains."

Zia's reliance on the international donors to keep his constituency docile stands in sharp contrast to the stated policy of the Jashod. That party's chief theorist—Serajul Alam Khan, now in prison—has written that Bangladesh should adopt a completely self-reliant development strategy. While a policy of food self-sufficiency would undoubtedly impose enormous hardships on urban dwellers, many development economists concede that an offer of higher grain prices to the countryside could be the incentive for substantially larger crop yields. Agriculture economists believe that Bangladesh could feed itself, given the proper motivation, irrigation works and an effective distribution system targeted to the poor in the countryside.

Serajul Alam Khan's radical development formula for Bangladesh would, however, place the country in an extremely precarious strategic isolation in the subcontinent. American officials describe the Jashob as "a violence-prone, fiercely nationalist party with ties to neither Moscow nor Peking." The Chinese have remained cool to its growth and supported Zia's regime on the ground that it is a bulwark against Indian and Soviet "hegemony." The Indians in particular are worried by the Jashod's potential to incite disorder in West Bengal, already ruled by a moderate Communist state government. And even some leftist Bangladeshis oppose the Jashod for the very reason that they fear its rise to power would provoke Indian military intervention.

The Jashod is undoubtedly viewed by many parties as a highly destabilizing phenomenon in the Indian subcontinent. But after the recent events, no one can doubt its ability to sponsor further uprisings. One confidential source speculates:

> Zia will find it very difficult to stamp out the kind of radical ideas that the Jashod has infiltrated among the *jawans*. To restore military discipline he must severely punish the politicized *jawans* responsible for the October 1977 mutiny. But these executions are not going to sit well with the *jawans*; there will be more bitterness. Zia can execute a hundred men, but still not stop it.

If the Jashod's constituency were limited to subversives in the army, Zia's problem would be relatively one-dimensional. But most officials in Dacca and most Western diplomats concede that the Jashods' popular appeal in the countryside would make it a major contender for power in any election. Zia has promised nationwide elections for December 1978. He has already postponed elections once, substituting last May a referendum on his rule. He won the referendum with 98 percent of the vote and a supposed turnout of 85 percent of registered voters. (Voters were given the choice of publicly placing a marble in either a black box or a box displaying Zia's face.)

One might think that this "vote of confidence" would allow Zia to dispense with next year's elections. But, in addition to the Jashod, another major political force in the country is the late Shaikh Mujibur Rahman's Awami League, and much to everyone's surprise, it has not disintegrated. Last February, it swept the village elections, easily defeating the conservative Islamic parties. The Jashod was barred from contesting the village elections.

The more active left wing of the Awami League has threatened to split from the party if Zia reneges on his promise to hold elections. Should that happen, Zia would find much of his middle-class support in the cities gravitating toward the Jashod. This new alignment would pose a formidable challenge to Zia's continued military rule.

So it would appear that early elections are being forced upon Zia. But his own elite constituency in the higher ranks of the army, the police and the intelligence services cannot accept the idea of any elected government. Both of the two possible victors of parliamentary elections—the Jashod or the Awami League—have bitter scores to settle with the security branches. Awami Leaguers would feel compelled to punish those army officers and intelligence personnel who assassinated Shaikh Mujibur. The Jashod would avenge itself on an even larger group of officers and civil servants.

Zia must satisfy the requirements of the international donors, who would like him to continue his management of the economy. He must somehow deal with the Awami League's demands for elections and yet quiet the fears of his defense establishment. And he must be prepared for the outbreak at any moment of inevitable Jashod-inspired mutiny. His is not an enviable position.

Bangladesh is once again the scene of tragic political turmoil. But unlike the 1971 struggle for national independence, the Bengali elite today are divided among themselves. Those who have adopted a radical Socialist vision of self-reliant development have infiltrated the army and politicalized the enlisted man. This has never before even been attempted in the Indian subcontinent and no doubt greatly enhances the potential for revolution in all the countries of one of the most impoverished regions of the world. □

COLLEGE NEWSPAPERS

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THE MALE CHAUVINIST COURT

CAROL H. ARBER

The Supreme Court has been busy making decisions that adversely affect women. By their deliberations the Justices have virtually halted the progress, legislative and judicial, that had been made up to this year. And even more troublesome is the pattern of bias that can be seen to underlie decisions made in various areas affecting women's rights—abortion, pregnancy disability and unemployment. A look at the devastation left by the 1976-77 term of the Court in each area of importance to women reveals inconsistencies and a lack of logic, but these can be resolved by understanding the Court's behavior as the expression of a uniform policy—to keep women in their place.

Abortion: The women's movement has long struggled for the right of women to decide whether or not to bear a child, even after one is conceived. In 1973, two Supreme Court decisions appeared to have confirmed that right, and women believed that abortion was a battle won and that they could turn to other struggles for social rights. However, in 1977 the Supreme Court held that a state participating in federally funded Medicaid programs may deny claims for the cost of any abortion that is not "therapeutic," even though the state may not refuse to pay for the expenses of childbirth. This means, in essence, that the old rules apply once more to women who cannot afford to pay for abortions.

What is a "therapeutic" or "medically necessary" abortion? The determining factor is the probability that the impending birth threatens the life or health of the mother. What about a woman who early in her pregnancy contracts German measles? She is told that the fetus she is carrying may be deformed or mentally deficient. Is an abortion "medically necessary"? Probably not. Furthermore, the Court's decisions do not create exceptions for women who have been victims of rape or incest, and it is clear that the "medically necessary" category would not fit them.

These two decisions leave it to the individual states to decide whether or not to cover abortions and to obtain federal funds for that purpose. However, another case pending before the Supreme Court seeks to prohibit the use of federal funds for abortions other than those deemed "medically necessary." If the Court accepts that argument, the individual states will no longer have a choice in the matter.

These decisions are not haphazard; they reveal a consistent point of view as follows:

(*1*) Abortion is still viewed as an option, not a right. If abortion were acknowledged to be a right, it would be unfair and illegal to set terms and conditions on its availability. It also would be illegal to deny it to those who cannot afford it.

(*2*) The Court's decisions maintain a double standard: women who can afford private abortions will still have access to them, those on Medicaid will not.

(*3*) Related social problems are disregarded by the Supreme Court. The most important of these is population control, a concern not just of this country but of the entire world. Even in 1977 birth control methods are not altogether effective or safe. Until contraception is perfected, accidental and unwanted pregnancies will add to the population explosion unless women have the freedom to control their own bodies.

(*4*) An irony of the 1977 abortion decisions arises from the failure of the Court to consider the results of prohibiting abortions. The women who are now denied abortion are those who cannot afford one. Women who can't afford abortions will probably be in no position to pay hospital bills for delivery or to support the child they did not want. In times of economic recession, increasing welfare rolls are high on the list of problems that beset other branches of government.

(*5*) Finally, the Court did not consider the true tragedy of forcing a woman to bear a child—the possible effect on a child of being unwanted.

Pregnancy Disability: The phrase itself displays the prevailing attitude toward pregnancy. Calling it a "disability" makes it sound like a permanent disorder, a condition worse than an illness, when in fact it is a normal function. Time granted for childbirth could be referred to as "pregnancy leave" or "pregnancy pay"; to call it a "disability" betrays a state of mind.

In a recent case against General Electric, a group of women brought an action challenging the lack of pregnancy-leave benefits as a violation of Title VII of the Civil Rights Act, which prohibits discrimination in employment based on race, sex, national origin or religion. Both the lower court and the Circuit Court of Appeals agreed that the lack of benefits violated Title VII. The Supreme Court, however, reversed them and has now held that the failure of the medical insurance plan to cover pregnancy is not discrimination based on sex; rather, says the Court, it is the employer's legitimate choice to exclude one "disability."

In support of its conclusion, the Supreme Court explained that eligibility under the G.E. plan was divided into two groups: pregnant women and all others. Since the second category includes women, it was clear, the Court urged, that women are not discriminated against; rather, *pregnancy* is legitimately discriminated against. The logic of this position leaves something to be desired, as was pointed out by the dissent of a minority in the Court. Only women can become pregnant and to argue that pregnancy is but an incidental function of women is to ignore the facts of life. As the dissent pointed out,

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it is not possible to look *only* at employment practices relating to pregnancy; rather, it is important to examine all the employment practices that affect women, and when that is done, it is clear that G.E. has discriminated against women.

The majority on the Court refused to examine all the employment practices; instead, it examined actuarial tables to determine the expense of the plan for the employer. The cost of correcting discrimination is not a valid exception to the law, but the Supreme Court has, in effect, created such an exception by citing actuarial tables to support its refusal to require coverage for pregnancy. If discrimination is to be approached in terms of cost analysis, the victims of discrimination will always lose. The Supreme Court majority ignores the fact that men are covered for sex-related disabilities and that the only sex-related disability which is excluded is pregnancy. On December 6, the Court affirmed its intention to deny compensation for pregnancy leave, in a decision stating that a woman employee may not be deprived of her seniority because she has taken an unpaid maternity leave. This latest Court action must be read in the context of other recent seniority decisions that are discussed below.

It used to be a common saying among men—it no longer is—that women do not *need* to work; that they do so for "extras" and luxuries, not out of necessity. Another aspect of the attitude, seldom now expressed, but still often enough felt, is the conviction that women who decide to have children should not work, that they belong in the home, raising their young. This attitude gains force in times when jobs are scarce. The Supreme Court does not openly discuss these implications of its decisions; instead, and as an excuse for blatant discrimination, it devotes a great number of words to speculating on how granting "pregnancy disability" would greatly increase an employer's overhead.

The implicit effect of these decisions is clear. Women who had intended to combine a career with motherhood, and who had relied on their salaries to support their offspring, will be forced out of the workplace and back into the home. Although the New York Court of Appeals (its highest state court) has steadfastly resisted the federal Supreme Court decision, it is predictable that companies in New York will balk at having to pay pregnancy disability. One New York company has already told its employees that pregnancy leave will be for a period not to exceed six weeks. If the employee does not return by then, she loses her job. *It should be noted that no time limit is ever set for disability leave for illnesses.*

Questions arise about the effect of the Supreme Court decisions on such policies as maternity/paternity leaves which have been granted by some employers in New York. Given the recent decisions, it is not unreasonable to anticipate a restriction on benefits and even refusal to grant them. Such benefits do not come from the goodness of employers' hearts; they are the result of legal and social pressures.

Day Care: To examine the effect on women of the pregnancy disability and abortion decisions, the sorry state of day care must also be reviewed. Working women with children might conceivably be able to continue to work in spite of these decisions, if a system of day care were readily available. Although the issue has not yet reached the Supreme Court, both lower court decisions and legislative cutbacks have had the effect of drastically limiting the provision of such services.

In New York State, the Agency for Child Development has closed down a number of centers in the metropolitan area. In spite of a court injunction holding that the parents and other interested parties had the right to hearings pursuant to Title XX of the Social Security Act, the subsequent "hearings" did nothing to change the decision to make massive cutbacks. At the hearings parents (both fathers and mothers) testified of their need to seek work or to complete their training programs so that they could obtain employment, but this testimony was to no avail. Child experts testified about the importance of continuity, of the deprivation children suffered when denied an opportunity to play with others and learn from the group situation. All this fell on deaf ears. In fact, there were no "ears" to hear—the testimony was given to a tape recorder. One can only hope that eventually someone listened to the tape.

When the decisions and the recent policies are put together, the message is plain: women are not only being discouraged from combining motherhood with work but in order even to arrive in the workplace a mother must overcome enormous obstacles and have the strength, determination and courage to do so with no encouragement from a society that *claims* to believe in equal rights for women.

Employment: What faces those working women who either decide to refrain from having children or who have them and then strive to overcome the almost overwhelming odds?

Title VII of the Civil Rights Act went into effect in 1965. It is a broad piece of legislation that prohibits discrimination in employment based on race, religion, national origin or sex. The Supreme Court, however, has during the past year performed radical surgery on the statute in ways to damage both women and minorities. Title VII prohibits discrimination in every aspect of employment: recruitment, hiring, promotions and fringe benefits. It acknowledges some exceptions and these are now being so broadened as to deprive the Act of its intended force, while still preserving the appearance of anti-discrimination legislation on the books. Where a person has been discriminated against, Title VII seeks to place that individual where he/she would have been but for the discrimination. When a seniority system is involved, there arises the problem of how one remedies the discrimination while still preserving the rights of the other employees. Is it possible to do so without disturbing a seniority program? Probably not, and this being so, logic and Title VII dictate that the seniority system must make accommodation for, and amends to, victims of discrimination.

In an earlier 1976 decision the Supreme Court agreed that, given the "make-whole" objective of Title VII, the seniority system needed to be modified. This was so

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because, even though the seniority system itself may not be responsible, once discrimination enters the system, seniority perpetuates it and deepens its effect. Examining the harm to "innocent" employees, the earlier Supreme Court decision said that to give them their expectation would frustrate the purpose of Title VII. But these were empty words, for little more than a year later the Supreme Court handed down two new decisions that directly contradict its 1976 words and also appear to limit severely the effect of Title VII as a means to fight discrimination in employment.

The first of those new decisions involved a case brought by the U.S. Government against the Teamsters union and a common carrier. It alleged a pattern and practice of discrimination against blacks and Spanish-surnamed employees. The action asserted that minority employees were hired in lower paying, less desirable jobs, while the higher paying jobs went to whites. In addition, the complaint charged that the seniority system perpetuated the effects of past discrimination by locking the minority employees into the less remunerative jobs. The Supreme Court agreed that there was a pattern of discrimination. However, it held that the seniority system was valid and that therefore employees were not entitled to relief for past discrimination. Seniority systems, the Court said, do not become unlawful simply because they may perpetuate past discrimination.

On the same day that the Supreme Court decided the Teamsters case, it also decided the case of a woman employee of United Airlines who had filed charges of sex discrimination with the Equal Employment Opportunity Commission in 1973. She had been employed as a flight attendant from 1966 to 1968 and was then forced to resign because of an airline policy that flight attendants could not be married. When that policy was later held to be discriminatory, Ms. Evans sought re-employment and was finally rehired in 1972. She was not, however, credited with her two years' experience, but was taken on as a new employee. She filed a charge of discrimination, alleging that the seniority system perpetuated the prior discrimination against her.

The Supreme Court agreed with Ms. Evans that the seniority system "gives present effect to a past act of discrimination." It held, however, that the seniority system was valid because it treats all former employees the same, whether or not they were fired for a discriminatory reason. If the logic is difficult to follow, it is because it is absent. In short, the Court refused to acknowledge that Ms. Evans, who was fired because of a policy that was held to discriminate against women, is placed in a position of never being able to catch up—not because she isn't trying but because she was discriminated against in the first place. And the Court's answer is that, since she failed to complain of the initial act of discrimination within ninety days of its occurrence, she now may not complain of its effects. It should be noted that Ms. Evans sought credit for the two years she worked; she did not seek to benefit from all the time she did not work because of the forced resignation. What the Court is saying is that Ms. Evans cannot catch up—that Title VII does not require eliminating the effects of discrimination. The dissent of Justices Marshall and Brennan expressed the concepts succinctly and precisely: "But for her *sex* (emphasis added) Carolyn Evans presently would enjoy all of the rights that she seeks through this litigation. . . ."

These decisions relative to Title VII mean, at the very least, that progress toward the goal of equal employment opportunities without regard to race, sex or national origin is delayed. Is delay the same as denial? In Ms. Evans's case, it certainly was. It places more obstacles in the path of women or minority persons who seek to advance from the low-paying jobs to which they have been confined by clear-cut policies that prohibited their entry into better positions. One effect is that women and minorities will not be able to get in line for advancement on an equal footing with white males. If they are denied the right to a remedy with respect to seniority, that in effect wipes out the last ten years of Title VII and pushes the minorities and women to the end of the line—where they have always been.

Another effect of such a policy is that women and minorities are the first to be laid off in time of high unemployment. Yet the Supreme Court acts and speaks as though discrimination were a problem that has long been solved and as though seniority systems were not a means of discrimination.

The Court's new decisions on seniority display an intention to minimize the effect of anti-discrimination laws. In addition they indicate greater judicial concern for the financial problems of the employer than for the employment problems of those discriminated against. Noting the attitude of the highest Court, employers may well assume that they can get away with more than the explicit limits of the decisions, and it is likely that they will seek to expand their scope. For example, since the Supreme Court has upheld the inviolability of seniority, there may be ways to justify the evasion of other forms of affirmative action.

Status quo is the preferred state because it does not make waves and costs least. The only effective way to cause change is by pressure, and pressure derives not just from the presence of a law on the books but from its enforcement by the executive and judicial branches of government. Is Title VII gone? No. But it has been badly nibbled at around the edges—and it remains to be seen whether a few more judicial bites will not finish it off.

There is yet another aspect to the recent Supreme Court decisions which becomes apparent as a pattern when the areas are examined as a whole. It is the concerted effort to keep women from advancing to positions of power. If women could decide not to bear children except when desired, they could also work. If women who chose to work were enabled to do so through anti-discrimination laws, they would enter the job market on equal footing with men and stand a chance of moving ahead in the employment hierarchy. If women who had suffered discrimination were given compensatory seniority they could compete more easily for better jobs. In each situation where the Supreme Court has limited the rights of women, it has phrased the decision in terms

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of saving money for employers. It is held that abortions need not be paid for, that employers need not pay for disability, that employers need not pay to give women equal footing in seniority. In this consideration profit is put ahead of equality or justice. But the economic cloud is a good cover behind which to hide profound attitudes of discrimination. And it is an effective way to keep women from gaining some of the economic strength that would enable them to overcome discrimination.

The good news in all this is somewhat bittersweet: if the progress of the women's movement were less significant, there would be no need for the Supreme Court to abandon logic and consistency in order to stop it. If men are frightened and recalcitrant about accepting equality, it is because at some level they know that equality of the sexes in all areas is a true revolution. □

TRIALS OF A LETTER WRITER

KAREN WENGER

Route 897 in Lancaster County, Pennsylvania is a pot-holed, winding road that passes dozens of well-tended farmsteads owned by plain-living people, some of whom, the Amish, eschew electricity, cars and tractors, central heat and public schools. Towns and townships along this road are politically conservative; local elections have been decided in the Republican primaries throughout the century. One of the towns, New Holland, is the only borough in the county, perhaps in the state, that refused state financial backing for its senior-citizen center. The old folks said that, since they didn't need the money, they saw no point in taking the taxpayer's dollar.

Near the town of Gap and close to Route 897 stands a white barn with, neatly painted on its side, a message so long that a motorist must stop to read it:

> Lancaster County
> Beautiful Farms—Ugly Politics
> Marxist Planning and Zoning
> Mental Health Police
> Sham Courts
> Psychiatric Jailers
> 1984 Is Here

This barn belongs to Paul Reese, farmer, sailor and grandfather, and the sign summarily describes events that occurred in his life four years ago. In January 1973, Reese wrote a letter to the Secretary of the Lancaster County Planning Commission suggesting that the planner resign his job and leave the county. Like the sign on the barn, his letter, one of half a dozen or so he had written to county officials over a period of seven years, was blunt, urgent and tactless. Six months after the letter was received, the county committed Reese to the psychiatric ward of a local hospital. The letter, it said, contained a bomb threat. Upon his release a week later, Reese proceeded to slap a $2 million lawsuit onto those responsible for his incarceration.

As a result, sometime this winter, Federal District Court in Philadelphia will decide under what circumstances, if any, public officials may commit a private citizen to a mental ward for writing denunciatory, perhaps threatening, letters to them.

What turned Paul Reese into a one-man letter-writing campaign was a heavy dose of disillusionment gained first-hand in Southeast Asia. Twelve years ago Reese rarely thought about our national policy or character. Nor did he write letters to politicians. Twelve years ago his chief interests were his engineering job with the merchant marine, his ongoing studies in engineering and public health which led to a Harvard University master's degree in Industrial Hygiene Engineering, and his family. But that was before he sailed to Vietnam in 1965 on the *S.S. Santa Margarita* to deliver food and weapons to our troops.

Reese first went ashore on November 1, the day the Ky regime had set aside for an annual celebration of President Diem's assassination. He watched the U.S. Marines and the South Vietnamese soldiers parade together down the streets of Saigon. Overhead, American jets burning American fuel performed figure 8s. The commemoration of a murder disgusted him.

Other shore visits disclosed to him the corruption journalists wouldn't describe nor Americans accept until years later—black markets, prostitution, sleazy cabarets, all contributing to the collapse of a culture. "You think of a war as being something important, something that demands devotion to a cause," he said. Instead, he found Saigon partying.

From the South China Sea, Reese wrote his first letter to the Lancaster County Commissioners, relating the "excesses and abuses" our country was perpetrating in the name of freedom. The burden of his letter, however, was not the ugliness of war. He wished to point out, instead, the hypocrisy of Americans fighting for freedom abroad while losing their freedoms at home. As an example he cited the commissioners' proposed condemnation of ten farms totaling 555 acres to form a county park. He wrote:

> You County Commissioners . . . planned for the best interests of our group, at just a little sacrifice of the individual freedom to own private property without fear of confiscation. . . . Your confiscation directly involves only a few property owners, and the others will be too lazy or too busy with other affairs to make your actions their concern.

The gauntlet was thrown; the commissioners let it lie. But the planning commission, also on Reese's mailing list, picked it up when Reese wasn't looking.

During the early 1970s the planning commission was persuading all the townships within Lancaster County to pass zoning ordinances. The suburban townships, of

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course, already had them, but for many rural townships, including the one where Reese lived, it was a new idea. Reese, like many of his neighbors, disliked being told what he could and could not do with his land, but unlike his neighbors, he addressed his grievances in writing to John Ahlfeld, secretary of the commission. In an early letter to Ahlfeld, Reese wrote that he recognized that "there is a legitimate place for planning within government." But "the controversy arises in establishing the boundaries for legitimate concern. . . . You . . . have a vested interest in perpetuating and expanding governmental areas of responsibility. On the other hand, those of us who find much of your endeavor to be oppressive and intolerable, seek to limit your work to activities which cannot be handled by non-governmental organizations."

Recalling his feelings at the time Reese says, "I wanted to establish a legitimate dialogue concerning legitimate grievances." But Ahlfeld, like the commissioners, never replied. Reese wasn't even sure Ahlfeld read all his mail.

Disgusted, Reese again wrote to the planner with the thought that zoning should not be passed without some protest being recorded. Hoping to prod some response from the man, Reese altered his epistolary style, as follows:

> My dear, bloodsucking, parasitic bureaucrat:
>
> My letter of many months ago has failed to alter the direction of your un-American, collectivistic works. Consequently, I now suggest that you terminate your practice of practical communism in Lancaster County, and remove yourself therefrom. I well understand that you must enjoy your work. You and your kind have a history of gravitating to positions within the palace gates where a comfortable living is assured from the toil of others. But since you have no birth right to Lancaster County, I urge you to leave quietly.
>
> Perhaps you will feel more secure by turning this letter over to the U.S. Postal authorities. But I cannot see how you can gain much in that direction. By following federal standards in our war against Communists (alleged, probable and possible), a well-placed bomb is the acceptable answer to the problem. And the record of your work identifies you!
>
> More truly than you believe,
> *Paul A. Reese*
>
> P.S. Please be gone by July 1, 1973.

His letter again elicited no response, or so it appeared. He received no angry phone calls or indignant written replies. But six months later, on the morning of June 29, 1973 (two days before the deadline suggested in his postscript) a car pulled into Reese's driveway. Two men climbed out and knocked on the door of the farmhouse. Mrs. Reese was preparing breakfast with the help of two grandchildren; Reese was still in bed. She opened the door, and two sheriff's deputies stepped inside, asking to see her husband. She went upstairs and woke him. He dressed and went to see what they wanted. One of them handed him a slip ordering him to appear, an hour later, at a commitment hearing where an appointed "master," a quasi-judge, would decide whether or not Reese required psychiatric examination. Reese didn't argue with them and prepared to go. He figured the hearing was merely some form of harassment, so he didn't upset his wife by telling her where the men were taking him. He expected to be back that morning.

Upon his arrival at the courthouse, Reese was assigned a public defender, but while the two were discussing his defense, the commitment hearing was called off because the court stenographer was needed in another courtroom. Rather than postpone the hearing, John Rengier, the lawyer representing the county, invoked the emergency commitment clause of the state

Photo by Jim Mentzer

Paul Reese

Mental Health Act. This law, since declared unconstitutional, allowed commitment without a hearing "whenever a person appears, by reason of his acts or threatened acts, to be so mentally disabled as to be dangerous to himself or others and in need of immediate care. . . ."

The court sent Reese directly to the mental ward of Lancaster's St. Joseph Hospital, where he waited two hours for Dr. August Schulz, a psychiatrist on the staff of the county's mental health center, to arrive and examine him. The psychiatrist recommended "further patient evaluation." Reese was not allowed to leave for seven days. During his stay he voluntarily submitted to psychological tests and had a few more interviews with Dr. Schulz.

Two days after Reese's commitment, Dr. Schulz found him "cooperative, oriented to time, place, and person" and "coherent of speech, with his memory

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intact." On July 3, Schulz found no evidence that Reese suffered "psychotic episodes," nor did he recommend "prolonged hospitalization." A psychologist with the Lancaster Guidance Clinic, Harry W. Smoker, also evaluated Reese that day and said that he was no danger to himself or society and did not need hospitalization. Reese was not freed, however, until July 6.

Reese need not have feared that John Ahlfeld was ignoring his letters. After receiving the communication of January 20, Ahlfeld had taken steps to get him out of circulation. Thinking Reese meant to bomb him by July 1, Ahlfeld showed the letter to the Post Office, the FBI and to state and local police. But none of them could do anything, because there was no overt act.

During the last week of May 1973, Ahlfeld took the matter up with Stanley Nelson, the county's mental health administrator. Nelson remembers Ahlfeld telling him "how upset he was by the letters he had received from Paul Reese. He said he was contemplating taking his wife and child out of town prior to July 1 and that he was also thinking of looking for a new job in a different area."

Nelson in turn spoke with the county commissioners about the need to protect Ahlfeld, the lack of "constructive remedies" from the police, and the "possibilities of proceeding under the Mental Health Act to evaluate Mr. Reese's mental condition and to assure the safety of Mr. Ahlfeld, his family and co-workers."

Reese inadvertently reinforced Ahlfeld's fears on June 5, when he stopped by the planning commission office to obtain some zoning documents. Ahlfeld's secretary apparently took some time locating them, and before she handed them to Reese, she said she must have his name. Her attitude bothered Reese, and according to Ahlfeld's lawyer, Thomas Byrne Jr., "Reese blew his top and scared the secretary half to death."

On June 11, Nelson and county administrator, Benjamin Weaver, visited Reese at his home to discuss the January 20th letter. Reese says that no one told him that Nelson was a mental health officer, although Nelson says he identified himself. Reese also says that he refused to discuss the letter with the men, although they did talk about Reese's political philosophies.

The next day Nelson petitioned the county court for a civil hearing to determine whether or not to commit Reese. Although the hearing wasn't scheduled for another seventeen days, no one bothered to notify Reese or his family, a violation of the state Mental Health Act. The county sheriff later told Reese's daughter that people suspected of being mentally ill in Lancaster County are never told about their anticipated commitment hearing until the day of the hearing.

Reese considers his confinement an expedient device to keep an important county employee, John Ahlfeld, from quitting his job. Besides that, he believes he was committed rather than indicted for making terroristic threats, because a week in a psychiatric ward brands a man as crazy and invalidates any unsettling ideas he may urge upon his friends, neighbors and associates.

Translating the above into legal terms, Reese, a man who has no history of mental illness before or after June of 1973, is suing eight county officials and one doctor for allegedly causing him humiliation and for taking away his liberty and right to free speech without due process of law.

If Thomas Byrne can get the jurors to sympathize with Ahlfeld and his fellow officials, then Reese loses. What if Reese had done something violent, Byrne could argue, and no one took steps to stop him? The county surely would have looked foolish for ignoring that kind of tip-off.

But if Reese's attorney, Samuel Mecum, can make the jury identify with Reese, despite what it may think of his politics or phraseology, Reese could win. It is illegal to threaten public officials with bodily harm, and Reese might well have been hauled into court to explain what he meant by his reference to a bomb. But no one wants his nasty letter, shot off to a legislator for voting the wrong way, to serve as a ticket to the local asylum. □

ON ENERGY: A MODEST PROPOSAL

ROBERT LEKACHMAN

A sentimental American, writing on Thanskgiving Day, I am of a mind to do something for Congress, President Carter, my fellow citizens, and even the energy companies. So lavishly overflows my cup of generosity. Therefore, I shall solve the energy crisis.

Precisely what is that crisis? According to the Mobil ads, it is the scarcity of profits and the surplus of Washington interference in the affairs of a vigorously competitive industry. If only the ham-handed bureaucrats would go away and tend to their stamp collections, private enterprise would in short order endow us with new oceans of petroleum and fresh clouds of gas. By contrast, energy Secretary James Schlesinger, next only to Arthur Burns my very favorite pipe smoker in high office, seems convinced that Exxon and its gigantic playmates are faring reasonably well financially. What distresses him are our wasteful energy habits, one of their consequences being the unpleasant circumstance that each month we rely just a little more upon the Saudis and the Iranians, those inveterate democrats, to operate our autos, heat our houses, and keep us in pharmaceuticals, plastics and chemical fertilizers. Dr. Schlesinger, one of four profes-

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sional economists in the Carter Cabinet (there's a statistic to chill the heart!), has concocted, as the centerpiece of the administration response, a wellhead tax on "old" oil which is designed simultaneously to raise petroleum prices in this country to world market levels and prevent the producing companies from reaping some tens of billions of dollars of windfall profits. Naturally, the energy industry and its great patron Sen. Russell Long prefer to rebate these billions to the oil companies—not, perish the unworthy thought, because of corporate greed but out of an overwhelming patriotic urge to drill deeper and hunt harder on land and at sea for more reserves.

For my part I believe everybody on all sides of the controversy and precisely because I do so, I am in a position to advance a two-part resolution, responsive to everybody's concerns, of the tangled dilemmas of energy policy. When I am finished I shall have lifted the burden of sacrifice now borne so bravely by the oil companies, released the President and Congress for the performance of other mischief, soothed the fears of the populace and, dare I so immodestly say it, deserved well of the Republic which welcomed my grandparents at Ellis Island.

Why not nationalize the Seven Sisters? Meditate upon the benefits of this direct action. The stockholders, having received payment for their common shares (priced at the 1977 Big Board average), will be at liberty to invest in really competitive industries, if they can find any. Mercifully ended would be the tedious arguments about how much oil and gas are actually recoverable. As a society, we might begin rationally to evaluate the relative merits of solar, nuclear, geothermal, wind and tidal alternatives to fossil fuels, unimpeded by the flak and calculated disinformation that now emanate from the energy giants according to their respective financial commitments to any or all of these energy sources.

Nationalization would save us from the undignified expedient of entrusting foreign policy to private corporations, as happened during the OPEC embargo. Let it not be forgotten that, at Saudi behest, Aramco cut some countries and customers off (at one tense juncture our own Sixth Fleet!) and graciously allowed supplies to flow to others. And, finally, after public ownership arrives, none of us will ever need read another self-serving energy ad on *The New York Times* op-ed page. No doubt my heroic remedy is a trifle hard on the media, but their high-minded proprietors will, I am confident, accept the sacrifice in the spirit with which I have arranged for them to make it.

I have not forgotten my President or his loyal energy Secretary. It is very likely that they have accurately identified an impending, if not an actual, energy shortage. What to do? A prudent family, unless it is as rich as Croesus or Rockefeller, rations its resources according to the needs of each family member. Of course analogies between families and large national communities carry us only so far. Still, the principle of allocation according to need does seem to cover human units of all sizes. Now, as practically any economist except this one and a few of his friends will tell you, rationing is cumbersome, inefficient, bureaucratic and attractive to black marketeers. For two centuries my profession has preferred to let competitive markets channel resources toward those most able and eager to purchase them. Let us waive the issue of precisely how competitive the energy markets are in true life. OPEC's triumph manifestly is not based upon close reading of *The Wealth of Nations*. Nor, for that matter, have our own oil companies rested their fortunes upon unqualified adherence to price competition *à outrance*. Still, in the spirit of magnanimity I shall obviate controversy over the degree of energy competition, by a suitable rationing arrangement.

Let each American, man, woman or child, be given an annual gasoline ration and then allow these ration stamps to sell freely on white, not black, markets. A family that owns no car, or rarely drives the one it does own, will sell its surplus ration stamps for whatever price in open markets they can fetch. I dare say that a new breed of merchant will spring up to act as intermediaries between those who value money more than gasoline and others who yearn more for gasoline than for cash. Our newly nationalized energy industry would simply supply the gross number of gallons that its managers judged to be prudent.

In parallel fashion, the national energy managers will make an energy allotment to each business enterprise, adjusted to the average number of its employees. Any entrepreneur who used less than his quota would be free to sell the unused portion to his more mobile business colleagues. Implicit in both individual and commercial allocations will be a powerful incentive to conserve the use of energy, for the greater the conservation the larger the number of surplus ration stamps and the more substantial the proceeds from selling them.

The advantages of my plan dazzle me. It will alleviate poverty for, by and large, people who don't own cars also earn low incomes. Their sale of ration stamps will supplement those incomes with none of the hassle and humiliation which now deface the administration of food stamps, welfare and other forms of public assistance. My plan promises to promote revitalization of New York City and other ailing metropolises. Affluent and middle-class families who are tempted by the suburbs because of lower taxes will be presented with at least one financial reason for staying in or returning to the cities. For in the city, prosperous as well as poor citizens can get along without a private automobile. The lure of profits from ration stamp sales will check car usage, promote mass transportation, and rescue increasing proportions of our citizens from the idiocy of suburban life. The benefit to the political health of the nation is incalculable.

Well there it is. For the life of me I can't imagine how any fair-minded reader can possibly oppose solutions so fair, reasonable and solicitous of the feelings and interests of all actors in the energy tragicomedy. Should any *Nation* subscriber seek my further counsel on welfare reform, income redistribution, weight reduction, unemployment, inflation, the composition of the Federal Reserve Board, the management of New York finances, or the editorial conduct of *The New York Times*, please address requests for guidance to me care of this magazine. After all, the time for Christmas gifts is near. □

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BOOKS & THE ARTS

ART BOOKS 1977 / Lawrence Alloway

Individual Artists

PAINTINGS AND WRITINGS. *By Pierre Alechinsky. Introduction by Eugene Ionesco. Harry N. Abrams. Numerous color and black-and-white illustrations. 260 pp. $40.*

After World War II Danish, Belgian and Dutch artists formed a movement, consciously anti-Latin, called CoBrA (Co for Copenhagen, Br for Brussels, A for Amsterdam). Alechinsky, a Belgian, appears here for the first time in English as a writer as well as a calligraphic painter. He brings wit to what was initially a *brut* movement.

ANUSZKIEWICZ. *By Karl Lunde. Harry N. Abrams. 64 color and 138 black-and-white illustrations. 208 pp. $45.*

Anuszkiewicz belongs to a movement of low repute in the United States, Op art. Lunde's problem is either to rehabilitate the style as a whole, or to demonstrate this artist's singularity. He succeeds in neither course, but provides a detailed account of the artist's technique and development.

MAX BECKMANN. *By Stephan Lackner. Harry N. Abrams. 48 color and 90 black-and-white illustrations. 176 pp. $25.*

Appreciation rather than analysis is the point of the text, but here are good reproductions of Beckmann's Nordic figures in impacted allegorical compositions.

BLAKE AS AN ARTIST. *By David Bindman. Phaidon/Dutton. 182 black-and-white illustrations. 256 pp. $18.95.*

Bindman is engaged in room enlargement on the foundations of the house that Anthony Blunt built with his *Art of William Blake* in 1959. Art historical techniques are catching up with those of literary historians in the interpretation of Blake. A learned, sharply observant text.

WILLIAM BLAKE: The Seer and His Visions. *By Milton Klonsky. Harmony Books. 32 color and 104 black-and-white illustrations. 142 pp. $6.95.*

The interspersing of illustrations of Blake with Klonsky's trite grooviness is like a slide lecture by a hip professor. Anybody who needs this as an introduction to Blake does not need Blake.

BOTTICELLI'S UFFIZI "ADORATION." *By Rab Hatfield. Princeton University Press. 1 color and 68 black-and-white illustrations. $14.50.*

An excellent example of the now frequent practice of investigating one work in depth, in this case an altarpiece rich in Magi iconography, devotional meaning and Florentine sociology.

BRUEGHEL. *By Walter S. Gibson. Oxford University Press. 20 color and 153 black-and-white illustrations. 216 pp. $10.95. Paper $6.95.*

Popular books are usually unscholarly and scholarly books unpopular. This rule is resisted by Oxford, and Gibson's book is a nice balance of accessibility and up-to-date information. The author presses the influence of the *bederijkers* a bit heavily (a kind of learned popular theatre), but the tricky equilibrium is held.

CALDER: An Autobiography with Pictures. *New Introduction by Jean Davidson. Pantheon Books. Numerous black-and-white illustrations. 288 pp. $7.95.*

Calder's life and times, dictated by the artist between January 1965 and March 1966 (published originally in 1966). Not all autobiography is intimate but the sociability is real.

CEZANNE: The Late Work. *Edited by William Rubin. Museum of Modern Art, New York Graphic Society. 50 color and 367 black-and-white illustrations. 416 pp. $40.*

Notable assembly of the present state of art historical research on Cézanne in the United States. Aside from his pivotal importance, feeding 20th-century notions of formality, the problem of the eloquence of *late* work is considered. Very well illustrated.

JOSEPH CORNELL. *By Diane Waldman. George Braziller. 40 color and numerous black-and-white illustrations. 128 pp. $19.95.*

A welcome expansion of Waldman's Guggenheim catalogue, 1967, in which she affirms Cornell's knowledge of international Surrealism in opposition to nativists who think that Cornell can be accounted for by Americana alone. Disappointing reproductions though: the colors are clotted rather than glowing.

COURBET IN PERSPECTIVE. *Edited by Petra Ten-Doesschate Chu. Prentice-Hall. 21 black-and-white illustrations. 162 pp. $10.95. Paper $4.95.*

Better than average example from the series, Artists in Perspective, which tends to be scrappy in its anthologizing of the literature of art. Chu's 5-page introduction is, however, inadequate to sketch the many ups-and-downs of Courbet criticism.

THE SCULPTURE OF EDGAR DEGAS. *By Charles W. Millard. Princeton University Press. 143 black-and-white illustrations. 142 pp. $19.50.*

Excellent study of the posthumous sculpture (i.e., mostly cast after the artist's death), not only the naturalistic "Little Dancer (Clothed)" but also the small figures which reveal unexpected classical references in the poses.

HENRI FANTIN-LATOUR. *By Edward Lucie-Smith. Rizzoli International Publications. 16 color and 126 black-and-white illustrations. 176 pp. $35.*

Fantin-Latour is remembered for his consciousness-raising group portraits of artists by one part of the art world, for his sober flower pieces by another, and for his Wagnerian figure subjects which exist somewhere between history painting and symbolist reverie by no one at all. Lucie-Smith argues reasonably for his rehabilitation.

GOYA AND HIS CRITICS. *By Nigel Glendinning. Yale University Press. 60 black-and-white illustrations. 340 pp. $30.*

Dull beginning (on contemporary opinions of Goya), but after his death the book picks up with an excellent account of the various ways in which the artist has been used by partisan critics. The variables of ideology are well charted though in my view, Glendinning underestimates Ortega y Gasset's text of 1950.

RED GROOMS AND RUCKUS MANHATTAN. *By Judd Tully. George Braziller. 44 color and 40 black-and-white illustrations. Unpaginated. $17.50. Paper $8.95.*

"Ruckus Manhattan," a jammed labyrinthine paradigm of the city, created by Grooms and collaborators, is documen-

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ted in handsome pictures, from Miss Liberty in giant-soled shoes to a walk-in porno bookstore. This urban phantasmagoria is celebrated in a breathless but only so-so text, inattentive, for instance, to the varied authorship of parts of the rambling assemblage.

EVA HESSE. *By Lucy Lippard. New York University Press. 263 black-and-white illustrations. 252 pp. $19. Paper $9.95.*

Hesse is important, both for her modification of Minimal art by organic form and for the attachment of Minimal formats to a possible female imagery. She died early, but her influence ramified. Lippard has written a securely researched, socially specific account of her development and contacts. Recommended.

THE BLUE GUITAR. *By David Hockney. Petersburg Press. 19 color illustrations. 52 pp. Price unavailable.*

Hockney's etchings are a flimsy counterpart to Wallace Stevens's "The Man with the Blue Guitar." The poems have a jocular aspect, it is true, but the etchings lack a solemn one.

ASGER JORN: The Crucial Years 1954-1964. *By Guy Atkins. Lund Humphries (Distributed in the United States by George Wittenborn). Copious color and black-and-white illustrations. 396 pp. $75.*

This is the second volume of the exemplary *catalogue raisonné* of the Danish artist Jorn, one of the founders of CoBrA (see Alechinsky above). His later work is a personal prolongation of the group style. Atkins charts the graph of his development with a keen sense of what is unique and what common property. Recommended.

THE GRAPHIC WORKS OF MAX KLINGER. *By J. Kirk T. Varnedoe with Elizabeth Streicher. Dover Publications. Numerous black-and-white illustrations. 100 pp. $5.*

Known first as an obscure artist who influenced di Chirico, Klinger has emerged as his own man. The authors give a firm sketch of the artist in his 19th-century context, removing him from the cultural isolation of being a precursor.

MANET AND THE MODERN TRADITION. *By Anne Coffin Hanson. Yale University Press. 9 color and 126 black-and-white illustrations. 222 pp. $25.*

Manet, once the first *pure* painter of modern times, is now more generally regarded as the Baudelairean "painter of modern life," a complex realist rather than the first abstract painter. (See below, Reff; and Peter Gay in *Art and Act*, published last year.) The themes of Manet and the web of critical opinion his art has engendered are brilliantly discussed.

MANET: OLYMPIA. *By Theodore Reff. The Viking Press. 1 color and 65 black-and-white illustrations. 132 pp. $14.95.*

The continuance of the Art In Context series, of which this is one, seems to be in doubt: too bad. This series in which each book is devoted to a single painting demonstrates the complexity of the work of art in healthy opposition to reductive theory. Reff discusses the sources of "Olympia," its relation to contemporary literature, the iconography of cats and the impact on other artists. All convincing except for the secondhand account of Olympia's appearance in Robert Morris's dance *Site*.

ROBERT MOTHERWELL. *By H.H. Arnason. Harry N. Abrams. Numerous color and black-and-white illustrations. 252 pp. $45.*

Handsome reproductions that underplay Motherwell's best works, the "Elegies to the Spanish Republic." Presumably the artist planned the book as a corrective to the usual stress on the "Elegies," but without them his graphic charm and manual skill seem overevident. Arnason's text is a serious bid to fix Motherwell's development and iconography.

KENNETH NOLAND. *By Kenworth Moffett. Harry N. Abrams. 80 color and 145 black-and-white illustrations. 250 pp. $45.*

A central figure of New York art in the 1960s, Noland is discussed here in terms that originate in his own milieu. Not a new look, then, but a detailed apologia from a source close to the artist. Handsome reproductions.

PICASSO'S VOLLARD SUITE. *Introduction by Hans Holliger. Harry N. Abrams. 100 black-and-white illustrations. 120 pp. $6.95.*

In the 1930s Picasso made 100 etchings for Vollard which show his romantic neoclassicism at its most fluent and sweetest. The imagery is the basis for his later indulgent variations on the theme of art (himself) and sex (model), but here he keeps his cool.

PABLO PICASSO: His Life and Times. *By Pierre Cabanne. William Morrow & Co. Numerous black-and-white illustrations. 606 pp. $19.95.*

One of the frustrations of Picasso criticism is the gulf between formalistic analysis and gossipy biography; to as insistently a first-person artist as Picasso the origins of his work in the world are significant. Cabanne's project for a detailed biography, therefore, was a good one, but his 600-page book has far too much detail, no conclusions and few connections. Useful as raw material, but bring your own ideas.

PICASSO IN PERSPECTIVE. *Edited by Gert Schiff. Prentice-Hall. 40 black-and-white illustrations. 184 pp. $9.95. Paper $3.95.*

The difficulties of representing Picasso criticism in one book are formidable. Even so, Schiff puts too much weight on current American art historians, like himself, at the expense of, for instance, the classicizing European view of Picasso between the wars. Disappointingly simple view of a complex topic.

SUNLIGHT CONVERGENCE / SOLAR BURN. *By Charles Ross. University of Utah Press. 40 pp. $20.*

This large format book, 16x14, deals with Ross's work in which, for the year September 1971 to 1972, he focused daily a large lens on wooden planks to be burned by the sun. The accumulated burns reveal systems that Ross relates to solar patterns and other indications of the passage of time.

RUBENS AND ITALY. *By Michael Jaffe. Cornell University Press. 16 color and 346 black-and-white illustrations. 128 pp. $55.*

Fascinating account of Rubens's discovery of Italy—what was available at the time and his transformation of the classical sources. Densely detailed and highly readable text, supported by precise illustrations. Recommended.

ALFRED STIEGLITZ AND THE AMERICAN AVANT-GARDE. *By William Innes Homer. New York Graphic Society. 128 black-and-white illustrations. 336 pp. $17.50.*

Scrupulously detailed account of Stieglitz's intellectual and entrepreneurial

WORKING TITLE

Our working title is anger, lifting
The lids and throwing the new potatoes.
We voted once for the final solution
Of silence, massive withholding, death
& taxes. Now our stop-signed street
Is a crazy flashing green at a cat's-cradle
Scatterramp intersection, you shouting
Left, me right, both wrong and cracking
Up, what matter,
We'd go with each other
Any way at all.

Barry Spacks

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role in early 20th-century New York, in relation to photography, native artists and European art. Recommended.

Groups, Periods, Themes

ITALIAN RENAISSANCE ILLUMINATIONS. *By J.J.G. Alexander. George Braziller. 40 color and 19 black-and-white illustrations. 120 pp. $19.95.*

Deep perspective, classical prototypes and analytical anatomy open up pockets of illusionism in the pages: a capacious, supple spatiality. Good introduction and reproductions.

A CONCISE HISTORY OF IRISH ART. *By Bruce Arnold. Oxford University Press. 20 color and 159 black-and-white illustrations. 180 pp. $6.95.*

Revised edition of a book first published in 1969. Crisp survey of the prodigious Celtic period, followed by chapters dealing with, from the 18th century on, peripheral Ireland and Ireland the exporter of artists. More attention to William Orpen and John Lavary, Sargentesque figure painters, is indicated.

AN ANTI-CATALOGUE. *By Artists Meeting for Cultural Change. Black-and-white illustrations. 80 pp. $3.50. (Obtainable from 106 East 19th Street, No. 4, New York, N.Y. 10003.)*

This is the best, indeed the only, compendium of the themes of protest current among visual artists. It was compiled by a group to resist the exhibition of the *private* collection of John D. Rockefeller III under the title of "American Art" at the Whitney Museum last year. Recommended.

FRENCH PAINTING FROM THE HERMITAGE MUSEUM. *By Anna Barskaya and Antonia Izerghina. Harry N. Abrams. 358 color illustrations. 452 pp. $40.*

One of the bores about picture books is their familiarity, but here are reproductions of an extraordinarily rich and uncirculated collection. Fresh pictures by famous artists, notably Gauguin, Matisse and Picasso, with rich groups of smaller stars, such as Maurice Denis, Felix Vallotton and Albert Marquet.

WHY ART? *By Gregory Battcock. E. P. Dutton & Co. Black-and-white illustrations. 134 pp. $3.95.*

Why Battcock?

MANUSCRIPT PAINTING IN PARIS DURING THE REIGN OF ST. LOUIS. *By Robert Branner. University of California Press. 26 color and 386 black-and-white illustrations. 270 pp. $48.50.*

This book, virtually complete when the author died at the age of 46, is a study of illuminated manuscripts at a time when they were being produced in considerable quantity. He sorts the manuscripts into studios and defines the period as a whole as retaining "the traditional restraint and intellectuality of the capital." An absorbing feat of ordering devoted to gravely beautiful pages.

PALACES FOR THE PEOPLE: A Social History of the American Art Museum. *By Nathaniel Burt. Little, Brown and Co. Black-and-white illustrations. 446 pp. $15.*

This book is described as for the "general reader," which means no footnotes and a bland attitude toward the social role of consumption. However, on the formation of art museums, and the reasons for their proliferation, Burt is excellent, providing a clear view of a still little-known territory.

TOWARDS A PEOPLE'S ART: The Contemporary Mural Movement. *By Eva Cockcroft, John Weber, James Cockcroft. E.P. Dutton & Co. 20 color and 100 black-and-white illustrations. 292 pp. $12.95. Paper $7.95.*

First-rate account of the important but still obscure community mural movement which flourishes in working-class neighborhoods in Chicago, Boston and California (negligible in New York). Strong black and Puerto Rican iconography dealing with themes of integration, social change, drugs, and indigenous culture. Recommended.

ARTCULTURE: Essays on the Post-Modern. *By Douglas Davis. Harper & Row. Black-and-white illustrations. 176 pp. $10.*

Davis is torn between hack writing for *Newsweek* and dreams of *avant-garderie*. His neatly divided aims are shown by his nonchalant fluctuations between gee-whiz reportage and soft intimations of superchange.

THE ART WORLD: A 75-Year Treasury of Art News. *Edited by Barbara Diamonstein. Rizzoli International Publications. 112 color and 139 black-and-white illustrations. 460 pp. $29.95 until December 31, thereafter $35.*

A chronology of little samples from the journal *Art News*: Roger Fry's obituary, "Frick Gallery to Open to Public," Allan Kaprow on Happenings, but it is all very scrappy. The overall effect is nostalgic rather than historical. A firmer grasp of changing tastes and the major styles would have been more interesting.

PROGRESS IN ART. *By Suzi Gablik. Rizzoli International Publications. 162 black-and-white illustrations. 192 pp. $15.*

To show that world art converges inevitably on current American practice, Gablik imperiously dismisses or silently excludes most of world art. This is to buy the elegance of a unifying argument at a high price.

SOVIET ART IN EXILE. *By Igor Golomshtok and Alexander Glezer. Random House. 16 pp. of color and numerous black-and-white illustrations. 122 pp. $17.50.*

Most of the artists called "modern" work within a secure and basically supportive social and economic framework, but the "modernity" of Soviet artists is not of this sort. Their courage deserves our respect, but on the whole their art is stale and eclectic, notable only for having triggered repression.

BEYOND MODERN ART. *By Clara Gottlieb. E.P. Dutton & Co. Numerous black-and-white illustrations. 434 pp. $8.95.*

A clear analysis of recent American and European art, resting on a solid basis of documentation. She writes with good will and critical distance about just those aesthetic problems and artistic gestures that most strain traditional expectations.

SCOTTISH PAINTINGS 1837-1939. *By William Hardie. Studio Vista. Numerous color and black-and-white illustrations. 112 pp. $29.95.*

After some lively Victorians, like Daniel Maclise and David Bell Scott, Scotland's traditional link to France led to an unexpected flowering of Post-Impressionism in the late 19th-early 20th century. In addition to this peak, Hardie's book also reveals a native school of considerable vigor.

MODERN ART: Painting, Sculpture, Architecture. *By Sam Hunter and John Jacobus. Harry N. Abrams. 274 color and 236 black-and-white illustrations. 352 pp. $40.*

Early modern art is comparatively settled: its heroes and their connections can be agreed on broadly, but contemporary art is highly volatile. Thus books like this one, running from "Post-Impressionism to the Present," crumble into hopeless disarray as they near our own time. Is there really a meaningful historical unit that joins Cézanne, Gauguin and Van Gogh to William Wegman, Lawrence Weiner and Robert Barry? I doubt it. Surveys should have earlier cutoff points.

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A POT OF CROCUSES

Their candor dazzles, cupping
pollen less yellow than golden.
Spare green blades foretell
the triumph of Spring.
Are they the voice of young wisdom?
Rather, the resonant silence of love.

Babette Deutsch

MODERN ART AND THE OBJECT. *By Ellen H. Johnson. Harper & Row. 109 black-and-white illustrations. 240 pp. $20.*

Johnson shrewdly examines episodes in the continuous 20th-century use of objects, from depiction to direct incorporation, from Cubism to Pop art. The object's quotidian and referential aspects are sympathetically discussed, for Johnson has a strong sense of the artist's point of view.

PASSAGES IN MODERN SCULPTURE. *By Rosalind Krauss. The Viking Press. 212 black-and-white illustrations. 308 pp. $18.95.*

Closely argued study of a trickle of mainline sculptors. Confident of the centrality of her chosen works, Krauss often overstates their significance in the progression of art.

NAMES ON TREES: Ariosto into Art. *By Rensselaer W. Lee. Princeton University Press. 57 black-and-white illustrations. 126 pp. $14.50. Paper $5.95.*

Lee's subject is the theme of lovers carving their names on trees in art and literature, both its origin in the view of nature as a book and specifically in the story of Angelica and Medoro from Ariosto's *Orlando Furioso*. He traces the theme into the 19th century, for example, Arthur Hughes's "The Long Engagement" (moss on the old inscription). Learned charting of a sinuous continuity in the history of ideas.

MEMOIR OF AN ART GALLERY. *By Julian Levy. G.P. Putnam's Sons. Black-and-white illustrations. 320 pp. $8.95.*

When a dealer is willing to talk or able to write, one hopes for information about taste change and collection patterns. Levy's contribution as a dealer was to show European Surrealism in the United States, early. Unfortunately, cheerful social notes chase out hard data.

ART NOW. *By Edward Lucie-Smith. William Morrow & Co. More than 370 color illustrations. 504 pp. $29.95.*

The title of this book is that of a Herbert Read classic, published in the 1930s when there was almost nothing in English on modern art. In a situation of scarcity, books on modern art were revolutionary, but now they are legion. Lucie-Smith's book is a cordial survey of present tendencies, up to and including Photo-Realism, supportive of everything that has achieved gallery endorsement. Lavishly illustrated.

BAROQUE. *By John Rupert Martin. Harper & Row. 226 black-and-white illustrations. 368 pp. $23.50. Paper $9.95.*

The challenge of major style classification is still felt by writers and editors, apparently. Martin writes firmly and achieves the sense of containment necessary to hold together such categories as "naturalism" and "transcendance." An accomplished piece of large-unit art writing.

THE QUEEN'S PICTURES. *By Oliver Millar. Macmillan. 52 color and more than 250 black-and-white illustrations. 240 pp. $35.*

Millar, Surveyor of the Royal Collection, narrates its formation: from tentative beginnings to a culmination in the Stuarts, then a continuation through the Georges, then Prince Albert's "primitives," and attenuation to our own day. It is a patchy collection, but rich in historical overtones that Millar makes the most of. Well illustrated.

CONTEMPORARY ARTISTS. *Edited by Colin Naylor. St. Martin's Press. 1,250 black-and-white illustrations. 1,078 pp. $50.*

Casual inclusion lists and wildly variable levels of information: do we really need the "selected group shows" of Juan Gris in a general reference book? The entry for Leon Golub, to take one example, is seven years out of date. Other entries memorialize young artists' fleeting moments of renown. I envisage this book as dating very fast, which is not desirable in a work of reference.

ETHNIC AND TOURIST ARTS: Cultural Expressions from the Fourth World. *Edited by Nelson H.H. Graburn. University of California Press. 8 pp. of color and numerous black-and-white illustrations. 412 pp. $19.95.*

Fascinating survey of the current production, the modern art, of so-called primitive societies. Articles range over such subjects as Peruvian gourd decoration, Navajo weaving, New Guinea shields. Good book on an important, neglected topic.

FRANK O'HARA: Poet Among Painters. *By Marjorie Perloff. George Braziller. 234 pp. $12.50.*

The author overestimates the role of O'Hara, the midtown Apollinaire. John Ashbery's spell as an editor at *Art News* was probably more influential. However the book is a reminder of the literary roots of a mode of American art writing that is at once verbose and epigrammatic.

ROMANESQUE ART: Selected Papers, Volume I. *By Meyer Schapiro. George Braziller. Numerous black-and-white illustrations. 368 pp. $30.*

Classic studies by a scholar who has chronically postponed the collection of his seminal, scattered lectures and essays. It is marvelous to have a consultable group together. When can we expect the next volume? Recommended.

GERMAN ROMANTIC PAINTING. *By Hubert Schrade. Harry N. Abrams. 40 color and 53 black-and-white illustrations. 132 pp. $25.*

The pastoral aspect of German painting, from Italianate idyll to northern epiphany, from fields saturated by Christian sentiment to crepuscular skies, is shown in excellent color plates. Useful text and commentary.

WALLS. *By Deidi von Schaewen. Pantheon Books. Numerous color and black-and-white illustrations. 142 pp. $17.95.*

Brassai discovered graffiti as a subject for photography in the 1930s. Von Schaewen pursues a parallel theme, the stories of exposed terraces revealing divisions of former interiors, and old-fashioned painted ads as they start to crumble. Lyrical picture book.

INDIVIDUALS. *Edited by Alan Sondheim. E.P. Dutton & Co. Numerous black-and-white illustrations. 316 pp. $7.95.*

The resources of the first-person singular in the hands of artists are demonstrated in a book which, though weakly edited, is rich in primary materials. Note especially the text of Rosemary Mayer.

ARMS AND THE ARTIST. *Edited by Denis Thompson. Phaidon/Dutton. Numerous color and black-and-white illustrations. 112 pp. $8.95.*

Certainly photography is an art, but it is not the same art as painting. This book mixes up the iconography of painters dealing with violence and the documentation of atrocities provided by photographers. Goya and Belson belong in two different books: Goya constructs,

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the photograph memorializes. An exploitative book of art and shocks.

THE PALAZZO DEL TE IN MANTUA: Images of Love and Politics. *By Egon Verheyen. Johns Hopkins University Press. 78 black-and-white illustrations. 156 pp. $22.50.*

Art history used as the enemy of cultural generalization. Clerkish reduction of this Palace of Mannerism to the once-only effect of specific political and regional causes. Still the exacting detail demands cognizance.

EARLY SPANISH MANUSCRIPT ILLUMINATION. *By John Williams. George Braziller. 40 color and 14 black-and-white illustrations. 120 pp. $9.95.*

Spanish manuscripts are strongly patterned and powerfully symbolic. These somber, ornate works, from the 7th to the 11th century, are well reproduced. Informative introduction. □

BOOKS ON ARCHITECTURE

JANE HOLTZ KAY

THE PRODIGIOUS BUILDERS. *By Bernard Rudofsky. Harcourt Brace Jovanovich. 383 pp. $14.95.*

The dog in the manger is architecture's favorite pet, thanks in good measure to Bernard Rudofsky. In his *Architecture Without Architects* and *Streets for People*, the worldly essayist elevated nonpedigreed design to a cult. Scarcely a year goes by without a book or two on handmade houses by five-thumbed dropouts doing "the darnedest things" in design.

Books on anonymous builders in nature and other nurtures underscore "architecture as a tangible expression of a way of life rather than as the art of building," as Rudofsky puts it here; they break down anthropological barriers and de-bureaucratize a design process that sorely needs it. At this point, though, it takes a deft essayist to decipher any more than a "gee-whiz" message from the work of such unsung architects.

It is a measure of Rudofsky's skill—his urbane style and inexhaustible research—then, that he picks up the same theme and carries us along: the same dog in the manger, the same leash. And still we go trotting after him through this totally winning book.

TEMPLES OF DEMOCRACY. *By Henry Russell-Hitchcock and William Seale. Harcourt Brace Jovanovich. 339 pp. $29.95.*

Capitols are more than big houses on the prairies, more than pomp and circumstance on the plains, more even than urban focal points. They are distinct, separate and symbolically weighty enough, the authors feel, to merit a volume as hefty as one of their capitols.

Some may question whether "Skyscrapers and state capitols are America's unique contributions to monumental architecture," as they maintain (courthouses, for instance—the subject of a show and a forthcoming book and the focal point in more communities—might well ask these authors for equal time). None can doubt, however, that much library and legwork went into this eagle-eye view of American architecture.

TWO HUNDRED YEARS OF AMERICAN ARCHITECTURAL DRAWING. *By David Gebhard and Deborah Nevins. The Whitney Library of Design. 305 pp. $30.*

THE ARCHITECTURE OF THE ECOLE DES BEAUX ARTS. *By Arthur Drexler. The M.I.T. Press. 525 pp. $39.95.*

One of the most ephemeral arts, line on paper, precedes one of the most eternal —architecture. But is that piece of paper a document or a drawing? A work of art? A scrap of minor historical worth? Dismissing the past as a reference point, the last half century also dismissed such visual mementos and moments. Now, as we shake hands again with history, the drawing is more than a footnote to architecture. Drawing exhibitions multiply and so do studies that treat the work of the architect's hand as both an end in itself and a means to the end of understanding the design process. Each of these books records such exhibitions, the first at the New York Architectural League; the second, at the Museum of Modern Art.

FORM FOLLOWS FIASCO. *By Peter Blake. Atlantic-Little, Brown. 169 pp. $12.95.*

Breathes there an architect with soul so dead who never to himself hath said: *Form Follows Fiasco*? Certainly the profession has heard sufficient word of its demise, if not voiced in so lively a fashion. "Peter Blake says the most outrageous things about contemporary architecture and city planning," simps the jacket of his new book. At this point, though, you'd have to go back a decade to find them vaguely flabbergasting.

The architect and former editor of *Architectural Forum* is a card-carrying member of "roughly the fourth generation of modern architects, doing what comes naturally to most of us," so there may be confessional fillip when he asks "Why Modern Architecture - Hasn't Worked."

THE ARCHITECTURE BOOK. *By Norval White. Alfred A. Knopf. 343 pp. $15.*

WHO'S WHO IN ARCHITECTURE. *By James M. Richards. Holt, Rinehart and Winston. 359 pp. $19.95.*

The alphabetizing of architecture goes ABCing along in these two dictionaries: one, a who's who of 600 years of architects; the other, a what's what with architecture and architects.

The only thing "formula" about Norval White's observations is their A-to-Z progression. A writer able to buff his views to the gloss of epigram, White

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is worth dipping into. He condenses a wealth of observation in ten liners, or less. "Mies," he writes, "was like the stone of stonemasonry, his father's trade, in which he was first apprenticed: a superficially dour man of few words, relentless in his single-minded attitudes, a perfectionist. But with the humor of many great architects, he lived in an ornate Victorian house, painted white for purity, but exotic in detail."

Editor Richards, on the other hand, aided by Columbia University's Adolf K. Placzek and many others, deals Mies his full (8-page) due: photographs, bibliography and all in a lucid though encyclopedic prose.

These two books represent the alphabetic extremes—White, the opinionated critic-humorist versus, or one should probably say, *with* Richards, the conscientious compiler. □

RECORDS 1977 / David Hamilton

(All recordings in category I are stereophonic; all those in category II are monophonic unless otherwise specified.)

I. New Recordings

BACH: *Brandenburg Concertos.* Leonhardt Consort. ABC/Seon AB 67020/2. $19.95 (two discs, with facsimile of Bach's manuscript).

The Musical Offering. Leonhardt Consort. ABC/Seon ABCL 67007. $6.98.

BARTOK: *The Wooden Prince.* New York Philharmonic; Pierre Boulez, cond. Columbia M 34514. $6.98.

BEETHOVEN: Piano Concertos; Choral Fantasia. Alfred Brendel. London Philharmonic Choir and Orchestra; Bernard Haitink, cond. Philips 6767 002. $44.90 (five discs).

Piano Sonatas Nos. 21, 23. Russell Sherman. Advent cassette E 1057. $8.95.

Piano Sonatas Nos. 21, 21. Russell Sherman. Advent cassette E 1060. $8.95.

Piano Sonatas Nos. 6, 27, 30. Alfred Brendel. Philips 9500 076. $8.98.

BERIO: Concerto for Two Pianos; *Nones*; *Allelujah II.* Various artists. RCA Red Seal ARLI-1674. $7.98.

BRAHMS: Piano Concerto No. 1. Rudolf Kerer. Moscow Radio Symphony Orchestra; Gennadi Rozhdestvensky, cond. Westminster WG 8345. $3.98.

Piano Concerto No. 2. Maurizio Pollini. Vienna Philharmonic Orchestra; Claudio Abbado, cond. Deutsche Grammophon 2530 790. $8.98.

Serenade No. 1. Amsterdam Concertgebouw Orchestra; Bernard Haitink, cond. Philips 9500 322. $8.98.

CHOPIN: Piano works. Krystian Zimerman. Deutsche Grammophon 2530 826. $8.98.

DAVIES: *Dark Angels.* WERNICK: *Songs of Remembrance.* Jan DeGaetani, Oscar Ghiglia, Philip West. Nonesuch H. 71342. $3.96.

DVORAK: Overtures. Bavarian Radio Symphony Orchestra; Rafael Kubelik, cond. Deutsche Grammophon 2530 785. $8.98.

Symphony No. 7. Amsterdam Concertgebouw Orchestra; Colin Davis, cond. Philips 9500 132. $8.98.

EDWARDS: *Exchange-Misère.* American Academy Ensemble. CRI SD 336. $6.95 (with works by Hellermann, Bresnick, Jones).

GERSHWIN: *Porgy and Bess.* Houston Opera Company; John de Main, cond. RCA Red Seal ARL3 2109. $23.98 (three discs).

HANDEL: Oboe Concertos. Heinz Holliger. English Chamber Orchestra; Raymond Leppard, cond. Philips 6500 240. $8.98.

HAYDN: *Orlando Paladino.* Soloists. Lausanne Chamber Orchestra; Antal Dorati, cond. Philips 6707 029. $35.92 (four discs).

Le Vera Costanza. Soloists. Lausanne Chamber Orchestra; Antal Dorati, cond. Philips 6703 077. $26.94 (three discs).

HEISS: *Inventions, Contours, and Colors.* UNG: *Mohori.* HODKINSON: *Megalith Trilogy.* Various performers. CRI SD 363. $6.95.

IVES: Piano Sonata No. 2 ("Concord"). Gilbert Kalish. Nonesuch H 71337. $3.96.

JANACEK: *Kátya Kabanová.* Soloists. Vienna Philharmonic Orchestra; Charles Mackerras, cond. London OSA 12109. $13.96 (two discs).

JOSQUIN: *Missa La Sol Fa Re Mi*; Motets; Chansons. Capella Antiqua, München; Konrad Ruhland, cond. ABC/Seon AB 67017/2. $13.96 (two discs).

MAHLER: Symphony No. 2. Soloists, Chicago Symphony Chorus & Orchestra; Claudio Abbado, cond. Deutsche Grammophon 2707 094. $17.96 (two discs).

Symphony No. 3. Marilyn Horne. Chicago Symphony Chorus & Orchestra; James Levine, cond. RCA Red Seal ARL2 1757. $15.98 (two discs).

MENDELSSOHN: Piano Trios Nos. 1 & 2. Beaux Arts Trio. Philips 6580 211. $8.98.

MEYERBEER: *Le Prophète.* Soloists. Ambrosian Opera Chorus, Royal Philharmonic Orchestra; Henry Lewis, cond. Columbia M4 34340. $27.98 (four discs).

MOZART: Early Violin Concertos. Jaap Schröder. Amsterdam Mozart Ensemble; Frans Brüggen, cond. ABC/Seon ABCL 67010/2. $13.96 (two discs).

MOZART: Symphony No. 38. SCHUBERT: Symphony No. 8. English Chamber Orchestra; Benjamin Britten, cond. London CS 6741. $6.98.

OFFENBACH: *La Grande Duchesse de Gérolstein.* Soloists. Chorus & Orchestra of the Capitole de Toulouse; Michel Plasson, cond. Columbia M2 34576. $13.98 (two discs).

PROKOFIEV: *The Gambler.* Soloists. All-Union Radio Chorus & Orchestra; Gennadi Rozhdestvensky, cond. Columbia M3 34579. $20.98 (three discs).

RACHMANINOFF: Songs, Vol. II. Elisabeth Söderström, Vladimir Ashkenazy. London OS 26453. $6.98.

SCHOENBERG: String Quartets. Juilliard Quartet. Columbia M3 34581. $20.98 (three discs).

Serenade, Op. 24. Light Fantastic Players; Daniel Shulman, cond. Nonesuch H 71331. $3.96.

Variations for Orchestra. Chicago Symphony Orchestra; Georg Solti, cond. London CS 6984. $6.98 (with Elgar: *Enigma Variations*).

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SESSIONS: Sonata for Solo Violin. BLACKWOOD: Second Violin Sonata. Paul Zukofsky, Easley Blackwood. CP² 1. $6.98.

SIBELIUS: Symphonies. Boston Symphony Orchestra; Colin Davis, cond. Philips 6709 011. $35.92 (five discs; also available separately).

STRAUSS: *Macbeth; Don Juan.* Dresden State Orchestra; Rudolf Kempe, cond. Seraphim 60288. $3.98.

STRAVINSKY: *The Rite of Spring.* London Symphony Orchestra; Claudio Abbado, cond. Deutsche Grammophon 2530 635. $8.98.

VERDI: *La Forza del Destino.* Soloists. John Alldis Choir. London Symphony Orchestra; James Levine, cond. RCA Red Seal ARL4-1864. $31.98 (four discs).

Simon Boccanegra. Soloists. La Scala Chorus & Orchestra; Claudio Abbado, cond. Deutsche Grammophon 2709 071. $26.94 (three discs).

WEBER-MAHLER: *Die drei Pintos.* Soloists. Munich Philharmonic Orchestra; Gary Bertini, cond. RCA Red Seal PRL3-9063. $23.98 (three discs).

WEILL: Various works. Soloists. London Sinfonietta; David Atherton, cond. Deutsche Grammophon 2709 064. $26.94 (three discs).

A Renaissance Christmas. Waverly Consort. Columbia M 34554. $6.98.

II. Historical Recordings

BEETHOVEN: Piano Sonatas Nos. 8, 14, 23. Solomon. Seraphim 60286. $3.98 (recorded 1952-54).

Piano Sonatas Nos. 21, 28-32. Solomon. Turnabout THS 65068/70. $11.94 (three discs; recorded 1951-56).

String Quartets Nos. 1, 9, 11; Violin Sonata No. 5. Busch String Quartet; Adolf Busch & Rudolf Serkin. EMI/Electrola C 181 01822/3. $17.97 (two discs; recorded 1932-33).

Symphonies Nos. 8 & 9. Vienna Philharmonic Orchestra; Felix Weingartner, cond. Turnabout THS 65076/7. $7.96 (two discs; recorded 1935-36).

BRAHMS: Piano Concerto No. 2. Solomon. Philharmonia Orchestra; Issay Dobrowen, cond. Turnabout THS 65071. $3.98 (recorded 1947).

BRUCKNER: Symphony No. 8. Vienna Symphony Orchestra; Jascha Horenstein, cond. Turnabout THS 65090/1. $7.96 (two discs; recorded early 1950s).

DEBUSSY: *La Mer*: *Three Nocturnes.* Boston Symphony Orchestra; Pierre Monteux, cond. Quintessence PMC 7027. $3.98 (recorded 1954-55; *La Mer* in electronic stereo, *Nocturnes* in true stereo).

ELGAR: *The Dream of Gerontius.* Heddle Nash, Gladys Ripley, Norman Walker, Dennis Noble. Huddersfield Choral Society. Liverpool Philharmonic Orchestra; Sir Malcolm Sargent, cond. Turnabout THS 65102/3. $7.96 (two discs; recorded 1944).

FALLA and GRANADOS: Songs. Conchita Supervia, Frank Marshall. Seraphim 60291. $3.98 (recorded 1929-32).

MAHLER: *Lieder eines fahrenden Gesellen*; *Kindertotenlieder.* Dietrich Fischer-Dieskau. Berlin Philharmonic Orchestra; Wilhelm Furtwängler and Rudolf Kempe, cond. Seraphim 60272. $3.98 (recorded 1952-55).

MOZART: Piano Concertos Nos. 22 and 25. Edwin Fischer; John Barbirolli and Josef Krips, cond. Turnabout THS 65094. $3.98 (recorded 1935-47).

SCHUBERT: String Quartet No. 14, D minor. Busch Quartet. Turnabout THS 65075. $3.98 (recorded 1936).

Trio No. 2, E-flat major. Adolf Busch, Hermann Busch, Rudolf Serkin. Turnabout THS 65064. $3.98 (recorded 1935).

SHOSTAKOVICH: Symphonies Nos. 5 & 8. Leningrad Philharmonic Orchestra; Yevgeny Mravinsky, cond. Eurodisc 89 519 XDK. $17.96 (two discs; recorded 1954 & 1947).

SIBELIUS: Symphony No. 7. BBC Symphony Orchestra; Serge Koussevitzky, cond. Turnabout THS 65067. $3.98 (recorded 1933; with Symphony No. 6, cond. Schneevoigt).

STRAUSS: *Ein Heldenleben.* Philharmonic-Symphony Orchestra of New York; Willem Mengelberg, cond. RCA Victrola AVMI-2019. $3.98 (mono; recorded 1928).

WAGNER: *Der Ring des Nibelungen.* Soloists. La Scala Orchestra; Wilhelm Furtwängler, cond. Murray Hill 940 477. $24.99 (eleven records; recorded 1950).

The Art of Lotte Lehmann. Seraphim IB 6105. $7.96 (two discs; recorded 1916-33).

Landmarks of Recorded Pianism, Vol. I (recordings by Brahms, Grieg, Saint-Saëns, Debussy, Friedheim, Eibenschütz, Grainger, Lhevinne, et al.), International Piano Archives/Desmar IPA 117. $6.98 (recorded 1889-1921). □

THEATRE

HAROLD CLURMAN

Perhaps the most suitable reviewer for Wendy Wasserstein's *Uncommon Women and Others* would be a young woman who went to college in the early 1970s. This play by a recent graduate of the Yale School of Drama is sympathetically entertaining and if we take her at her word, authentic. I cannot be sure as to the authenticity, but if we grant it that merit, it is also revealing.

The play (Phoenix Theatre: Marymount Manhattan Theatre) deals with a group of students (whose average age is 21) at Mt. Holyoke. As with most of the plays by younger writers, there is more description of a condition than development of a situation: there is no "story." Rita (Swoosie Kurtz) is eccentric, possibly promiscuous, and given to bold sexual allusion and confession. Samantha (Ann McDonough) is a virgin who looks forward to marriage and offspring, a state of mind which Rita envies. Holly (Alma Cuervo), imaginative, witty, in her eagerness for love makes playful long-distance advances to men she has casually met.

After graduation, Muffet (Ellen Parker), who yearns for a hero and perfect mate, will regretfully find employment in an insurance office. Kate (Jill Eikenberry), who has had more lovers than Rita and remains cold withal, will become a lawyer. Leilah (Glenn Close) is interested in anthropology and goes off to Iran where she marries a native. Carter (Anna Levine), the freshman who falls in with the group, appears semi-catatonic, serves as an "ear" to several others. She aims to master typing. Mrs. Plumm (Josephine Nichols), as general supervisor, reads Emily Dickinson at parents'-day meetings; she seems wholly unaware of the intimate life and thoughts of her "girls."

Except for the uncommunicative Carter, all these students are extraordinarily and brightly articulate. They have a special gift for epigrammatic (frequently funny) sallies in sophisticated slang. What they talk about for the most part in sweeping vocabulary of four-letter specificity is sex. The keynote and the pathos of the play are in Rita's fare-

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well as her friends on graduation take leave of one another: "When we're 30 we'll all be fucking amazing." She bethinks herself and repeats the phrase, each time advancing the term of their amazing future to 35, 40 and 45. It is a realization of deep insecurity she shares with all the others as they are about to face the world beyond the campus.

The "girls" have studied Nietzsche, Wittgenstein, Wallace Stevens: in short, their college curriculum has been thoroughly "serious." But none of this education seems to have rubbed off on them. There is no talk at all about social affairs, art, literature, theatre, politics. Except for the aforementioned anthropologist, there is no sign of a belief in, or commitment to, anything. Is this typical or true? If it is, let us look to it or woe betide us all!

The cast in the main is wonderfully attractive and talented. Still I had the impression that, though the actors were all giving excellent performances, I did not always believe in them as persons. This may be due to the expert but rather too meticulous direction. Actors who are too thoroughly controlled by a director tend to lose the freedom which fosters individuality, spontaneity, truth.

The author of *Short Eyes*, Miguel Piñero, has written a new play, *Eulogy for a Small-Time Thief*, a "workshop production" at the Ensemble Studio Theatre, 549 W. 52nd St. Though violence is in the air, culminating in a murder, the play's interest is more descriptive than dramatic. By this I mean that we are more concerned with the play's people—their environment, speech, attitudes and inner being—than with what happens to them. The play is arresting because the description is convincing, pungently "amusing," meaningful.

Panama Smith, a New York "small-time thief," is hiding out in a seedy Philadelphia apartment in fear of terrible reprisal from a "boss" whom he hasn't paid off on a job he was commissioned to do. Smith is living with his woman, Tina, and her younger sister, nicknamed Little Bit. He has had a secret and momentary affair with the latter and she has become pregnant by him. Panama is waiting till he saves enough to buy a farm in Maine, for despite the urban sordidness of his existence he genuinely yearns for the freshness and freedom which work on the soil promises. Meanwhile, he and Tina peddle drugs while Little Bit helps by recruiting girls who will go to bed with men whom Panama has met in bars and gambling joints.

Panama is not unintelligent: he is bent on making his way in a world he knows to be irredeemably corrupt through greed. His one-night stand with Little Bit does not mean he is not genuinely attached to Tina. The two young tarts brought in by Little Bit—one white, the other black—do not use hard drugs nor do they steal or drink. They are cool, with the tough realism and humor of the streets. We meet the white girl's father, a workingman sodden with liquor. There is a certain "innocence" and a sort of geniality in all these people. They do what they do because they have no recourse outside their immediate sphere. Their brutality, except when it is necessitated by their game, is more or less involuntary. Hostility and violence are the inevitable outgrowth of a narrowly and grossly self-preoccupied and self-protective citizenry.

The play provides a horrible example; its implications point beyond the inferno of a particular ghetto: the surroundings by unhappy extension may lead us to suspect that in many ways they resemble our own. Piñero does not moralize, he depicts. His "Eulogy" is defective in structure, therefore; less telling as a whole than *Short Eyes*, but it is centered on a wider range of people than the jailed criminals of the earlier play.

The company's acting—notably by Shawn Elliott as Panama, by Marcia Haufrecht as Tina, by Socorro Santiago as her sister, by Cheryl Galeano and Ann Spettell as the street girls—is as grippingly honest as the direction by Jack Gelber is helpful.

In 1970 Steve Tesich, who wrote a play of interest, *The Carpenters*, and in 1972 wrote his best play, *Baba Goya*, a hilariously salty comedy, now offers us *Passing Game* at The American Place Theatre, a house that has been receptive to all his work, including the disastrous *Gorky* of 1975-76.

Passing Game deserves passing comment if for no other reason than that its good cast includes (besides William Atherton) a very fine and powerful actor in Howard E. Rollins Jr. Every shade of feeling—doubt, suspicion, friendliness, lust, indignation, aggressiveness—registers effortlessly in his whole frame at the provocation of each stimulus in the play's progress. But there is something more which needs to be said about the new Tesich effort. It is based on the idea of resentment or hate aroused in men against wives who insist on their husbands' virtue (whether it be talent, nobility, love or fidelity) while these men feel themselves wanting in any or all of these respects. They suffer a murderous sense of guilt. I am sure such feelings occur because, alas, everything occurs. But I am not convinced of it in Tesich's play or even when it was most potently stressed in O'Neill's *The Iceman Cometh*, an "allegory" for all its acclaimed realism, which has never convinced me in its portraiture or in its "philosophic" import.

It is a psychological motivation that only a Dostoevski could successfully dramatize. But not everybody who would be is a Dostoevski. It may be laudably ambitious for Tesich to delve into these depths, but his *Passing Game* is so awkwardly melodramatic, his character drawing so summary, that its total effect is not only turbid but antipathetic. Tesich has talent but he must recognize his limitations. □

FILMS

ROBERT HATCH

"We Are Not Alone," says the ad, but in fact we very possibly are and, if we are not, we more probably can never know it. So I detect the kind of mischief in Steven Spielberg's *Close Encounters of the Third Kind* that was present also in his *Jaws*, but is entirely absent from *Star Wars*, the other science fiction epic of the season. That earlier film, set in some vaguely stipulated period of the very remote past, is content to be a romance of outer galactic knight errantry which doesn't for a moment abuse the credulity of even the 10-year-olds who drag their parents to it three or four times in as many weeks. But a good many otherwise reasonable people find themselves constrained to believe in UFOs; a whole literature, not to say lobby, has sprung up to defend their reality and, like the Bermuda Triangle (another promising scalp tingler for Mr. Spielberg), faith in the presence of extraterrestrials among us is not dispelled by the lack of any confirmable evidence. *Jaws* cast a shadow over an entire summer at the seashore, and from now on more people than ever will be sprinting to the telephone to tell NASA of an unearthly spectacle in the night sky.

Close Encounters employs a routine sci-fi narrative. The visitors have drawn near—one may assume that their main vehicle is circling somewhere in the Milky Way. They intend to make contact, but before doing so prudently send ahead scout vessels (psychedelic Frisbees) to check the terrain. The units of this advance party give off an

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eerie light; anyone exposed to it receives a quick sunburn and becomes seized with an irresistible urge to "know more." He or she drops all usual pursuits, assumes a goofy smile and begins frantically to draw or sculpt a shape that more and more comes to resemble the Devil's Tower, a national monument in eastern Wyoming.

That's a signal, by golly! There are others, including a whole flight of World War I fighter planes that suddenly materialize near the Mexican border, but such details are what give the picture its amusement (at least, I was not amused by its spiritual overtones) and I won't divulge them here. All these goings on in the world of TV America (at which Spielberg pokes rather obvious fun) involve the film in problems of plausibility that *Star Wars,* remaining scrupulously within the bounds of fantasy, quite avoids. For example, the passage overhead of the scouts sets up a turbulence more destructive than has been seen anywhere since the devil got into that attic in Washington, D.C. Doors fly open, windows are shattered, electric gadgets go berserk, the contents of a refrigerator are thrown around the kitchen and a fearful groaning and grinding is to be heard. But this happens, apparently, to one house only—at least, there is no general outcry of alarm—although the UFOs are passing over quite densely inhabited semi-rural country. And when one of those who has seen the light (Richard Dreyfuss) begins to throw bricks, masonry, dirt, ornamental bushes and fence wire through the window into his kitchen (he is one of those who take to sculpture), his wife bundles the kids into the car and departs for shelter among relatives. You would think she might have sought medical advice. But I liked the ponderous curtain of secrecy set up by the Army—that was indeed plausible.

When the supreme moment of close encounter does finally arrive, it is an awe-inspiring anticlimax. The problem is, after perhaps ninety minutes of the most carefully calculated crescendo of suspense, what sort of physical structure do you invent for the great ship? It's all very well to decide that the natives aboard it shall resemble a textbook illustration of the 5-month fetus (big head, tendril-like arms and legs), but what sort of engineering will these exotic beings have developed? What they have developed, it turns out, is a gigantic replica of the central chandelier in some metropolitan motel—a confection of stainless steel grills and spikes, some of them suggesting gun barrels, flickering with indirect neon light. It's a very pretty bauble, but as obviously earth-conceived as a baked Alaska. I don't blame Spielberg for offering us this gorgeous inadequacy—it obviously exceeds the capacity of the human mind to imagine what nonhuman minds might design according to the dictates of their sensory apparatus and the mathematics of their corner of the universe. Inevitably, the special effects crew have come up with something that looks like Christmas week at Macy's; they would have been wise to settle for a burning bush.

I should mention that among the bedazzled principals are a cute toddler (Cary Guffey) and his distraught mother (Melinda Dillon); it was her house that got totaled. Also that François Truffaut plays a French scientist whose area of special knowledge is left conveniently vague, but who is chief of the reception committee. He conducts himself with Gallic composure among the near-hysterical Americans, but if I understood what was happening during the final moments, he made an unrewarding deal with the little creatures from out there. □

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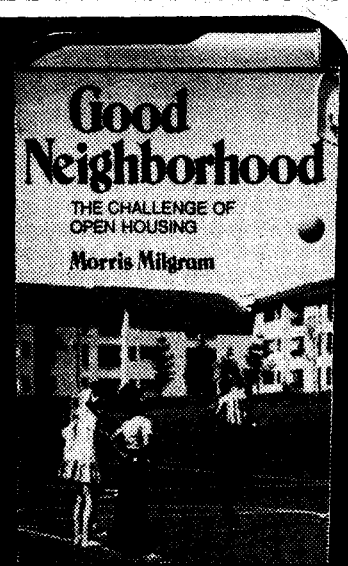

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TELEVISION / Peter Sourian

Maybe too much has been made of the Cronkite-satellite "diplomacy" which brought Sadat and Begin together on the same screen before bringing them together in the same room; yet the Sadat initiative was a TV initiative in that if it does turn out to have marked a turn toward peace, this will have been in part because of TV appearances.

In another context, President Kennedy once said that appearances contribute to reality; in this instance the Sadat-Begin appearance has become a part of reality. I mean that even less than ever can the noun *appearance* carry the adjective *mere* invisibly before it.

Sadat's youthful dream was to become an actor, a word which of course does not automatically carry *mere* invisibly before it. On the November 18th to 20th weekend he made conscious use of acting talent, as Begin made use of oratorical talent; he made conscious use of the camera, as Begin, intoning, made use of sound that even transcended halting and inaccurate voice-over translations.

What struck me most was the genuineness that I felt was expressed. First of all there was the ordinary human language used in the performances, the desire of a number of people, now at last given the opportunity, to "act" in human fashion, with so much less rhetoric than the doses to which we have become resigned. There was nothing phony about Golda Meir's morning-after teasing, nor about Sadat's responsive laughter; nothing phony about Sadat saying, "I understand" before Yad Vashem; nothing phony about Begin's explanation of Israel's wariness, including quiet mention of a small nephew dead at the hands of the Nazis. Principals and supporting cast were at pains to seize the dramatic chance to be genuine, and to manifest their ordinary humanity. Also, I feel, the truth was what they were trying to express. Sadat wanted to smile and put his hand on Begin's knee as they sat on a rather narrow sofa; he also wanted to be pinpoint clear on Arab expectations. Begin wanted to radiate the hopefulness he felt and be precise, too, about where matters stood for him.

And of course this show was for the world outside, starting (if you were Sadat) with the first concentric circle of the people of Israel. Where then was Plato's cave? Was it in all our living rooms, where we hunched, where the images flashed or, almost conversely, was it within the Knesset?

Certainly those of us watching from afar were closer, saw more, were provided with much more information. TV is very sharp in handling large events as they unfold. The problem of the medium in this type of situation has developed into a kind of strength: how do you fill the waiting time, as planes taxi, as principals retire to wash up?

There are a lot of things you do with the time. Miraculously, instantaneously, you are in Washington, pausing for a moment with Carter as he comes out of church, then asking Joseph Sisco at the State Department what he makes of it all, before going to your U.N. correspondent in New York. You switch to the West Bank where an Arab stands on land which, he cries to you, is at the very moment being appropriated from him by Jewish settlers impassively trundling spools of barbed wire. Then you are in Lebanon for a brief rundown on the political situation there. After that there's a sightseeing clip of the Holy Sepulchre, followed by Libyans preparing to burn the Egyptian flag. A professor indicates with a pointer present borders on a map; an economist is asked about prices and wages in Egypt. Abba Eban makes a comment before running off to join the tail end of the Israeli receiving line. And constantly you are returned to the airfield, awaiting the plane, jostling among all those people thousands of miles from you, then suddenly you are flung away not only into space but into time—a flashback to Sadat's plane taking off from Egypt an hour earlier!

Also, during all this there is entirely different information to be scanned at will. Harry Reasoner, lapsing into his natural vulgarity now that Howard K. Smith is not much about to keep him in check, insists he wishes he could be watching the football game and keeps calling in ABC's man at Ohio State. Then you get the dead Elvis Presley alive and gyrating in concert; a film on Georgia O'Keeffe, with Stieglitz. Mike Wallace interviews Frank Snepp, a former CIA agent who has written a book accusing many U.S. officials of shameful behavior in Vietnam. And on top of it all Barbara Walters (coming off the plane in Jerusalem with Sadat) magically sits in Washington in a previously taped interview with the Shah of Iran—on human rights.

All weekend I had the current issues of *The New York Times* around, and they contained not a particle of information on Sadat-Begin which I had not gotten better from TV, in more ample, *verbal*, detail. And that includes the Monday issue, plus *Time* and *Newsweek* thereafter.

Yet all this is only some of what you saw and heard. TV is considered superficial. Is it? Or does it give more, more amply, more profoundly? If it does, if it can . . . if you are like me, how threatened do you feel?

In the midst of it all I took my kids to a charity bazaar, where I ran into an old friend, an intelligent man who has always made a point of keeping up with things. He has a comfortable chair in the bedroom, snug against a big filled bookshelf, alongside a window, where he reads. When I asked him what he thought of the TV coverage, he answered scornfully that he no longer had a TV set, and more than implied that he'd chucked it to protect his children, keep their burgeoning brains from rotting. I insisted good-naturedly that he was a snob; he insisted on looking somewhat pleased by this appellation.

I wonder if those of us who were brought up to know where the grand store of information is to be found—in the library—now feel resentment that millions on millions of people not so formed are receiving information anyway. Information that once was, well, *privileged* information. I state this as a notion only, to be pursued on another occasion.

Meanwhile, there were some disturbing sides to the great produced reality. I believe in being a bit formal, maybe I am un-American in my dislike of the immediate use of first names. To watch Sadat and Begin, interviewed by Cronkite, saying, "Yes, Walter," "No, Walter" is bad. To watch them a half-hour later, on another channel saying, "Yes, Barbara," "No, Barbara," is still worse. What the hell is this? Concomitantly, I am disturbed that TV, really an American device, is more busily exporting America than importing the world. Even in this instance, where two strong-minded statesmen managed to superimpose themselves even upon the Ohio State football game, they were in the end forced to pay imperial tribute to our ways: "Yes, Barbara, No, Barbara, Of course, Barbara." □

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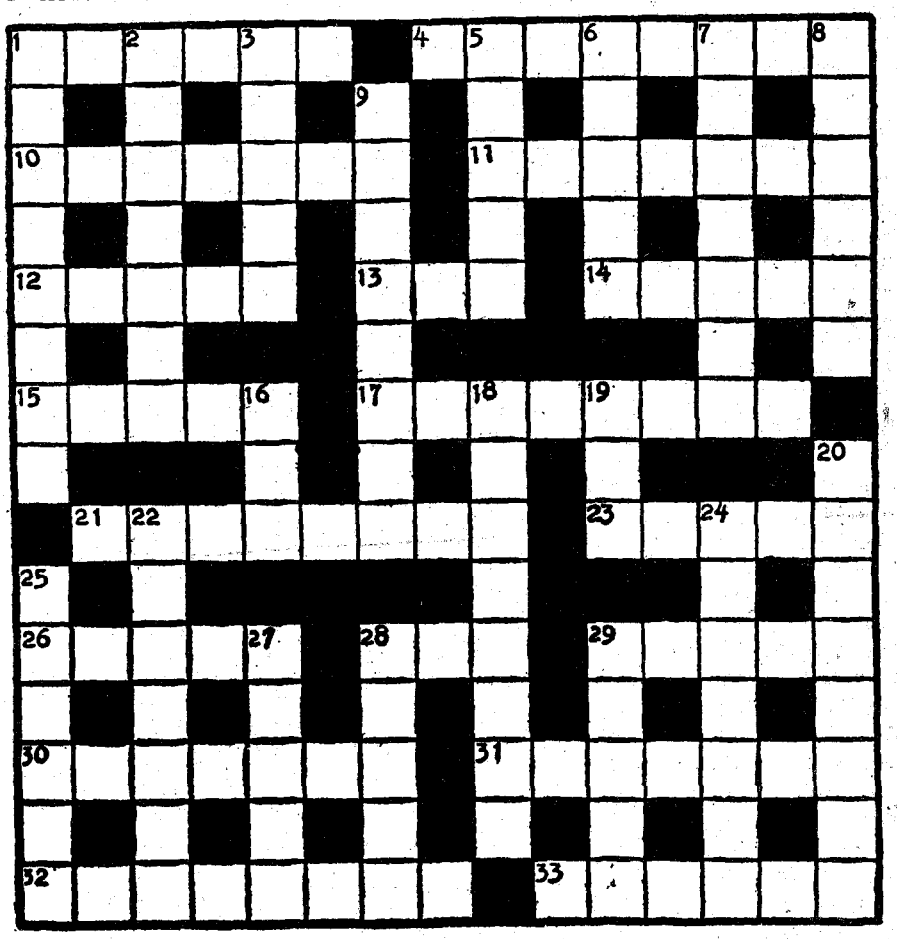

ACROSS

1 and 4 across Lady of mystery. (6,8)
10 Sitting sounds backwards, the point being central. (7)
11 Obviously like a very quiet ramble. (7)
12 Certainly not on the level, though they may go from one to another. (5)
13 See 16 down
14 Name-calling almost sounds apt. (5)
15 Possibly cared to have something for the chest. (5)
17 Operated backwards and valued accordingly, as told. (8)
21 Lead watch, in a way, not necessarily carried on a covered wagon with such in front. (8)
23 Acted like a runner in the making of 15. (5)
26 Alternatively, the wrong title for a noble root. (5)
28 and 25 down The people of Athens, Ohio with a pill and nothing else to manufacture. (3,6)
29 Unable to, as Jock might say, plant this. (5)
30 Stevenson had one for the night. (7)
31 and 33 In English, not quite a strong character at first. (1-4's creation, with slightly off-color basic material.) (7,6)
32 An enumeration of suggested thoughts, one being unpractical. (8)

DOWN

1 Theoretical way to purloin. (8)
2 Generally taken to be the sad muse, as it might be. (7)
3 One of these generally succeeds. (5)
5 and 7 Earth-shaking disaster suffered by some? (5,7)
6 Spirit the Spanish urge forward. (5)
8 Half divided so. (6)
9 One has a ruined mansion, and it won't make the rest easy. (8)
16 and 13 across What might be left of the overalls, not in something different from Mrs. Murphy's chowder, undoubtedly! (6)
18 Probably a stopper, correct about what might be led astray. (3,5)
19 Sounds like one of 3 is traditionally free. (3)
20 A man of records inscribed in two letters on a penny, or the next thing to it.
22 How one might cross 1 down, in a sense.
24 What William did to earn his name. (7)
25 See 28 across
27 A light turn-over, possibly. (5)
28 What the weatherman promises sometimes might be feelings of elation. (5)
29 What might be in the hold makes the vehicle proceed. (5)

SOLUTION TO PUZZLE NO. 1705

ACROSS: 1 and 6 Wild-goose chase; 9 Tasty; 10 Brass band; 11 Reservist; 12 Outdo; 13 Oared; 15 Apologist; 18 Tawny port; 19 Leave; 20 Estes; 22 Catalogue; 25 Not guilty; 26 Error; 27 Evert; 28 Bad health.
DOWN: 1 and 13 Water on the knee; 2 Last straw; 3 Gayer; 4 Obbligato; 5 Exact; 6 Castor oil; 7 Avast; 14 Dry as dust; 16 Outstayed; 17 Inaugural; 21, 8 and 24 To the ends of the earth; 22 Caleb; 23 Liege.

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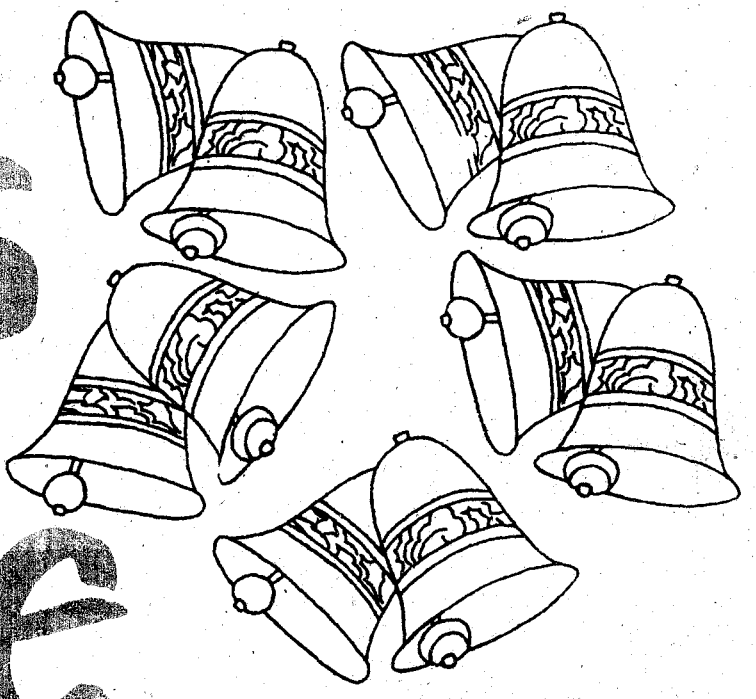

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